

## STATE OF MAINE NOTICE OF STATE AGENCY 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>

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### PROPOSALS

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**AGENCY:** Department of Administrative and Financial Services, Maine Revenue Services,  
**CHAPTER NUMBER AND RULE TITLE:** 18-125 C.M.R. Ch. 323, Commercial Agricultural Production, Commercial Aquacultural Production, Commercial Fishing, and Commercial Wood Harvesting

**TYPE OF RULE:** Routine Technical

**PROPOSAL FILING NUMBER:** 2026-P067

**BRIEF SUMMARY:** MRS Rule 323 explains 36 M.R.S. § 2013 as it pertains to the issuance of refunds and certificates of exemption to persons who are engaged in commercial agricultural production, commercial aquacultural production, commercial fishing, and commercial wood harvesting. Proposed amendments to Rule 323 incorporate recently enacted Maine legislation expanding qualifying activities under 36 M.R.S. § 2013 to include commercial mining and update the rule's title. See P.L. 2025, c. 469. The definition of "machinery and equipment" in the proposed rule is also amended to specify the time period over which machinery and equipment must be used "primarily" in qualifying activities to be eligible for the exemption.

**PUBLIC HEARING:** N/A

**COMMENT DEADLINE** Friday, April 10, 2026

**CONTACT PERSON FOR THIS FILING:**

Alex Weber, General Counsel

24 State House Station, Augusta, ME 04333-0024

Phone: (207) 624-9712

Fax: N/A

TTY: N/A

Email: [alexander.j.weber@maine.gov](mailto:alexander.j.weber@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:** 36 M.R.S. § 112

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

**AGENCY WEBSITE:** [maine.gov/revenue](http://maine.gov/revenue)

**EMAIL ADDRESS FOR OVERALL AGENCY RULEMAKING LIAISON:**

[anya.trundy@maine.gov](mailto:anya.trundy@maine.gov)

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**AGENCY: Department of Professional and Financial Regulation, Bureau of Insurance**  
**CHAPTER NUMBER AND RULE TITLE: 02-031 C.M.R. Ch. 161, Surplus Lines Insurers (replacing Rule 160 Eligible Surplus Lines Insurers Summary Requirements for Eligibility Status to Transact "Export Lines" of Insurance Regarding Risks Resident Located or to be Performed in Maine)**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2026-P039 (2<sup>nd</sup> Notice)**

**BRIEF SUMMARY:** The rule will replace Rule 160 and update provisions relating to surplus lines insurers to reflect changes made in statute by PL 2025, Chapter 348 (LD 1837).

**PUBLIC HEARING:** Thursday, April 2, 2026, 10:00 am, Bureau of Insurance, 76 Northern Avenue, Gardiner, ME, 04345

**COMMENT DEADLINE:** April 16, 2026 5:00 pm

**CONTACT PERSON FOR THIS FILING:**

Stacy Bergendahl

34 State House Station, Augusta, ME 04333-0034

(207) 624-8537

TTY users use Maine Relay 711

[Stacy.L.Bergendahl@maine.gov](mailto:Stacy.L.Bergendahl@maine.gov)

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

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

**STATUTORY AUTHORITY FOR THIS RULE:** 24-A M.R.S. § 212, and § 2003(7)

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

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

**EMAIL ADDRESS FOR OVERALL AGENCY RULEMAKING LIAISON:**

[Stacy.L.Bergendahl@maine.gov](mailto:Stacy.L.Bergendahl@maine.gov)

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**AGENCY: Department of Professional and Financial Regulation, Bureau of Insurance**

**CHAPTER NUMBER AND RULE TITLE: 02-031 C.M.R. Ch. 440, Maine Workers'**

**Compensation Residual Mechanism**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P185 (3<sup>rd</sup> Notice)**

**BRIEF SUMMARY:** The purpose of this rule is to provide a mechanism for winding down the workers' compensation residual pool.

**PUBLIC HEARING:** Click or tap here to enter text.

**COMMENT DEADLINE :** Extended comment period deadline 5:00 pm April 16, 2026, by email to [InsuranceComment.PFR@maine.gov](mailto:InsuranceComment.PFR@maine.gov)

**CONTACT PERSON FOR THIS FILING:**

Stacy Bergendahl

34 State House Station, Augusta, ME 04333-0034

(207) 624-8537

[Stacy.L.Bergendahl@maine.gov](mailto:Stacy.L.Bergendahl@maine.gov)

TTY use Maine Relay 711

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

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** *(if any)*:

**STATUTORY AUTHORITY FOR THIS RULE:** 24-A M.R.S. §§ 212 and 2386(5) and PL 1995, Ch. 289, § 19(2)

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

**AGENCY WEBSITE:**

<https://www.maine.gov/pfr/insurance/legal/rules/index.html#proposed>

**EMAIL ADDRESS FOR OVERALL AGENCY RULEMAKING LIAISON:**

[Stacy.L.Bergendahl@maine.gov](mailto:Stacy.L.Bergendahl@maine.gov)

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**AGENCY: Maine Health Data Organization**

**CHAPTER NUMBER AND RULE TITLE:** 90-590 C.M.R. Ch. 247, Uniform Reporting System for Non-Claims Based Payments and Other Supplemental Health Care Data Sets

**TYPE OF RULE:** Routine Technical

**PROPOSAL FILING NUMBER:** 2026-P068

**BRIEF SUMMARY:** This rule is being proposed to align changes with national data collection standards. It includes updates to Appendix B Source Codes, Appendix C Behavioral Health Provider Type Taxonomy Codes, and updates to data fields. These changes are needed to ensure the collection of complete and accurate data.

**PUBLIC HEARING:** Thursday, April 2, 2026 at 9:00 A.M.

(Virtual Remote only). \*\*Please note: This public hearing will be held virtually. To attend via zoom, select the link below or call the number provided to attend via conference call.

**Join Zoom Meeting**

<https://mainestate.zoom.us/j/86411099212?pwd=RNhCBaEViv4AN6fvZzgODoYH2wsuny.1>

**Zoom Call in Number:** 309 205 3325

Meeting ID: 864 1109 9212

Passcode: 93817069

**COMMENT DEADLINE:** Monday, April 13, 2026 at 5:00 P.M.

**CONTACT PERSON FOR THIS FILING:**

Debra J. Dodge

151 Capitol Street, 102 SHS, Augusta, ME 04333-102

207-287-6722

207-287-6732

[debra.j.dodge@maine.gov](mailto:debra.j.dodge@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:** 22 M.R.S. §8704 (1-A)(1-5)

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

**AGENCY WEBSITE:** <https://mhdo.maine.gov/>

**EMAIL ADDRESS FOR OVERALL AGENCY RULEMAKING LIAISON:**

[debra.j.dodge@maine.gov](mailto:debra.j.dodge@maine.gov)

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**AGENCY: Maine Health Data Organization**

**CHAPTER NUMBER AND RULE TITLE: 90-590 C.M.R. Ch. 243, Uniform Reporting System for Health Care Claims Data Sets**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2026-P069**

**BRIEF SUMMARY:** The proposed changes are necessary to provide additional clarity with specific requirements, align with national data collection standards, and for increased transparency in the reporting of prescription drug data by adding two new data elements to the prescription drug file, a mail-order pharmacy indicator and a formulary designation. This rule change is anticipated to provide increased transparency in the reporting of prescription drug data.

**PUBLIC HEARING** Thursday, April 2, 2026 at 9:00 A.M.

(Virtual Remote only). \*\*Please note: This public hearing will be held virtually. To attend via zoom, select the link below or call the number provided to attend via conference call.

**Join Zoom Meeting**

<https://mainestate.zoom.us/j/86411099212?pwd=RNhCBaEViv4AN6fvZzgODoYH2wsuny.1>

**Zoom Call in Number:** 309 205 3325

Meeting ID: 864 1109 9212

Passcode: 93817069

**COMMENT DEADLINE:** Monday, April 13, 2026 at 5:00 P.M.

**CONTACT PERSON FOR THIS FILING:**

Debra J. Dodge

151 Capitol Street, 102 SHS, Augusta, ME 04333-102

Telephone: 207-287-6722

Fax number: 207-287-6732

[debra.j.dodge@maine.gov](mailto:debra.j.dodge@maine.gov)

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

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** *(if any):* There is no financial impact on state counties, municipalities, or small businesses.

**STATUTORY AUTHORITY FOR THIS RULE:** 22 MRSA, §§8703(1), 8704(4), 8708(6-A) and 8712(2)

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

**AGENCY WEBSITE:** <https://mhdo.maine.gov>

**EMAIL ADDRESS FOR OVERALL AGENCY RULEMAKING LIAISON:**

[debra.j.dodge@maine.gov](mailto:debra.j.dodge@maine.gov)

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**AGENCY: Maine Health Data Organization**

**CHAPTER NUMBER AND RULE TITLE: 90-590 C.M.R. Ch. 300, Uniform Reporting System for Financial Data for Health Systems, Parent Entities, Hospitals, Health Care Facilities, and**

**Health Care Provider Entities (proposed amended rule title; current rule title: “Uniform Reporting System for Hospital Financial Data”)**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2026-P070**

**BRIEF SUMMARY:** This proposed rule change will require Maine hospitals to include payor mix information and provide a copy of the IRS Form 990 with their financial data reporting requirements to MHDO. It will also require financial data reporting and payor mix information from other non-affiliated health care facilities (Ambulatory Surgical Facilities (AFS), Federally Qualified Health Centers (FQHC’s), Rural Health Centers (RHC’s), Certified Community Behavioral Health Clinics (CCBHC’s), Urgent Care Facilities) and health care providers as defined in this rule. Lastly, this proposed rule change removes the organizational data reporting requirements from this chapter as requested to avoid confusion with financial and organizational data submitters. These proposed changes are intended to meet the on-going request for greater transparency into the financial health including payor mix of Maine hospitals, non-affiliated health care facilities and health care providers.

**PUBLIC HEARING:** Thursday, April 2, 2026, at 9:00 A.M.

(Virtual Remote only). \*\*Please note: This public hearing will be held virtually. To attend via zoom, select the link below or call the number provided to attend via conference call.

**Join Zoom Meeting**

<https://mainestate.zoom.us/j/86411099212?pwd=RNhCBaEViv4AN6fvZzgODoYH2wsuny.1>

Zoom Call in number: 309 205 3325

Meeting ID: 864 1109 9212

Passcode: 93817069

**COMMENT DEADLINE:** Monday, April 13, 2026, at 5:00 P.M.

**CONTACT PERSON FOR THIS FILING:**

Debra J. Dodge

151 Capitol Street, SHS 102, Augusta, ME 04333-102

Telephone: 207-287-6722 Fax: 207-287-6732

[debra.j.dodge@maine.gov](mailto:debra.j.dodge@maine.gov)

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

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES (if any):** There is no financial impact on counties, municipalities, or small businesses.

**STATUTORY AUTHORITY FOR THIS RULE:** 22 M.R.S.A., Section 8704, sub-section 4 and Section 8709

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

**AGENCY WEBSITE:** <https://mhdo.maine.gov>

**EMAIL ADDRESS FOR OVERALL AGENCY RULEMAKING LIAISON:**

[debra.j.dodge@maine.gov](mailto:debra.j.dodge@maine.gov)

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**AGENCY:** Department of the Secretary of State, Bureau of Corporations, Elections, and Commissions, Division of Elections and Administrative Procedure Act

**CHAPTER NUMBER AND RULE TITLE:** 29-250 C.M.R. Ch. 800, Procedures for the Electronic Filing of Rules

**TYPE OF RULE:** Routine Technical

**PROPOSAL FILING NUMBER:** 2026-P071

**BRIEF SUMMARY:** The proposed rule repeals and replaces Chapter 800. The rule establishes general parameters and requirements for agencies to electronically file rulemaking proposals and rulemaking adoptions with the Department of the Secretary of State.

**PUBLIC HEARING:** No public hearing is planned.

**COMMENT DEADLINE:** Tuesday, April 14, 2026 at 11:59 PM

**CONTACT PERSON FOR THIS FILING:**

J. Chris Parr

184 State House Station, Augusta, ME 04333-184

Phone: 207 624-7736

Fax: 207 287-6545

TTY Users call Maine relay 711

[j.chris.parr@maine.gov](mailto:j.chris.parr@maine.gov)

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

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** *(if any)*: The proposed rule will not fiscally impact either municipalities or counties.

**STATUTORY AUTHORITY FOR THIS RULE:** 5 M.R.S. § 8056, sub-§ 8

**SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED** *(if different)*: Not applicable.

**AGENCY WEBSITE:** <https://www.maine.gov/sos/elections-voting/about-bureau-of-corporations-elections-and-commissions>

**EMAIL ADDRESS FOR OVERALL AGENCY RULEMAKING LIAISON:**

[melissa.packard@maine.gov](mailto:melissa.packard@maine.gov)

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## ADOPTIONS

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**AGENCY:** Department of Inland Fisheries and Wildlife

**CHAPTER NUMBER AND RULE TITLE:** 09-137 C.M.R. Ch. 16, Hunting (Moose permit allocations)

**ADOPTION FILING NUMBER:** 2026-060

### CONCISE SUMMARY:

The Department of Inland Fisheries and Wildlife has adopted allocation numbers for moose hunting permits to be issued for the 2026 moose hunting season. Permits will be issued for antlered and antlerless moose. The rule also includes the discontinuation of the Adaptive Management moose hunt referred to as WMD 4a, which was established as a 5-year research project and has now concluded. The total number of permits issued according to Wildlife Management District are 2,645 antlered moose permits, and 1,060 antlerless permits statewide. A complete copy of the rule may be requested from the agency contact person.

**EFFECTIVE DATE:** Wednesday, March 4, 2026

### AGENCY CONTACT PERSON:

Name: Becky Orff

Agency Name: Inland Fisheries and Wildlife

Mailing Address: 353 Water Street, 41 SHS

Telephone Number: 207-287-5202

Email Address: [becky.orff@maine.gov](mailto:becky.orff@maine.gov)

**AGENCY: Department of Environmental Protection**

**CHAPTER NUMBER AND RULE TITLE: 06-096 C.M.R. Ch. 691, Rules for Underground Oil Storage Facilities**

**ADOPTION FILING NUMBER: 2026-061**

**CONCISE SUMMARY:**

Prior to enactment of P.L. 2023, ch. 16, the owner or operator of an underground storage tank (UST) used to store motor fuels or in the marketing and distribution of fuels was required to remove the tank and all associated piping from service upon expiration of the tank manufacturer's warranty, except that a double-walled UST was allowed to continue to be in service for up to 10 years beyond the expiration of the warranty, provided tightness testing was conducted to verify the integrity of the tank and the facility was brought up to current standards.

The recent amendment to 38 M.R.S. § 564(5) removes the 10-year limitation, thereby allowing double-walled tanks to continue in service indefinitely as long as they meet all other regulatory requirements. The proposed rule revision would align Chapter 691 with the current law.

Beyond the necessary revisions to implement the amended law, the Department seeks to make the following revisions to Chapter 691.

-The last active single-walled UST storing motor fuels or used in the marketing and distribution of fuels was removed in 2020. Any new or replacement UST is required to be double-walled with continuous electronic monitoring. The Department recommends that Chapter 691 be revised to remove the unnecessary provision regarding leak detection options for single-walled USTs storing motor fuels or used in the marketing and distribution of fuels.

-Revise Chapter 691, Appendix J: Requirements for Abandonment of Underground Oil Storage Tanks by Removal, to better align with the requirements, procedures, and operating conditions outlined in American Petroleum Institute (API) 1604; Closure of Underground Petroleum Storage Tanks and Petroleum Equipment Institute (PEI) 1700; Recommended Practices for the Closure of Underground Storage Tanks and Shop-Fabricated Aboveground Storage Tanks.

-Update Chapter 691, Appendix Q: Facility Closure Site Assessment Characterization and Notification Requirements, to align with changes to the soil and water laboratory notification levels of the Department's Remedial Action Guidelines for Contaminated Sites (RAGs) Effective Date: November 15, 2023.

-Update Chapter 691, Appendix R: List of National Standards and Codes Cited. Update outdated standards referenced in Chapter 691 with current additions.

-Non-substantive language and formatting improvements

**EFFECTIVE DATE:** Sunday, March 15, 2026

**AGENCY CONTACT PERSON:** Butch Bowie

Agency Name: Department of Environmental Protection

Mailing Address: SHS 17, Augusta, ME 04333-0017

Telephone Number: (207) 215-4583

Email Address: [butch.c.bowie@maine.gov](mailto:butch.c.bowie@maine.gov)

