

Annual List of Rulemaking Activity
Rules Adopted January 1, 2018 to December 31, 2018
Prepared by the Secretary of State pursuant to 5 MRS §8053-A, sub-§5

Agency name: **Kim Wallace Adaptive Equipment Loan Program Fund Board**
(administered by the Department of Labor)
Umbrella-Unit: **94-178**
Statutory authority: 10 MRS §371
Chapter number/title: **Ch. 501**, Kim Wallace Adaptive Equipment Loan Program Rule
Filing number: **2018-103**
Effective date: 6/12/2018
Type of rule: Routine Technical
Emergency rule: No

Principal reason or purpose for rule:

The rule repeals and replaces the existing Ch. 501, which sets the operating procedures for the Adaptive Equipment Loan Program (AELP). The proposed changes will streamline AELP operations; direct the AELP Board to adopt procedures, guidelines for applications and underwriting, and interest rates; and delete from the rule most details of such procedures, guidelines, and interest rates. Also, the changes will allow the AELP Board to deposit the AELP Fund with a fund administrator other than the Finance Authority of Maine.

Basis statement:

The rule repeals and replaces the rule 94-178 ch. 501, which regulates the operation of the Adaptive Equipment Loan Program (AELP). The changes help implement the 2016 amendments to 10 MRS §§ 372-377 pursuant to LD 1549. The current rule 94-178 ch. 501 is available at <http://www.maine.gov/sos/cec/rules/90/94/178/178c501.doc> .

In Section 1, Definitions, defined terms are rearranged into alphabetical order and renumbered. Definitions of some common terms are deleted.

Current paragraph 1.F., where the term "authority" is defined to mean the Finance Authority of Maine, is deleted. A new paragraph (1.J.) adds a definition for "fund administrator," the state agency where the AELP Fund is deposited.

Paragraph 4.C. is changed to reduce the maximum aggregate amount for individual outstanding loans from \$250,000 to \$100,000.

Current paragraph 8.B., which sets the interest rate for loans, is replaced by a new paragraph (6.B.), which says the AELP Board will set the interest rate annually.

Current Sections 5, 6, 7, 7-A, 9, 10 and 13, which describe detailed operational procedures, are largely deleted or replaced. New Section 5 says the AELP Board can delegate to a financial service provider the loan approval, denial, and commitment based on underwriting guidelines approved and reviewed annually by the AELP Board.

Current Section 15, Request for Reconsideration, is replaced by a new Section 10, which provides for appeals of loan denials made by the financial services provider.

Fiscal impact of rule:

(no response)