

Department of Corrections
2025-2026 Regulatory Agenda
June 25, 2025

RULE-MAKING LIAISON: Mary Lucia, Policy Development Coordinator, State House Station 111, Augusta, Maine 04333. Telephone: (207) 530-0983.
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03-201: Department of Corrections
03-208: State Parole Board

AGENCY UMBRELLA-UNIT NUMBER: **03-201**
AGENCY NAME: **Department of Corrections**

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:
None

EXPECTED 2025 – 2026 RULE-MAKING ACTIVITY:

CHAPTER 1: Detention and Correctional Standards for Counties and Municipalities and Additional Accommodations

STATUTORY BASIS: 34-A MRSA §§ 1208, 1208-A, & 1208-B

PURPOSE: This rule sets forth standards for county and municipal detention and correctional facilities. An amendment to this rule may be needed to implement new standards and/or clarify current standards to address situations that have come to light since the last rulemaking.

SCHEDULE FOR ADOPTION: Prior to October 1, 2026.

AFFECTED PARTIES: Municipal and county detention and correctional facilities and persons confined to or working in those facilities.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 10 (ADULT), Subsection 20.1: Prisoner Discipline

STATUTORY BASIS: 34-A MRSA §3032

PURPOSE: This rule describes the disciplinary process and disciplinary offenses and punishments for residents of Department adult facilities. This rule will be repealed and replaced to make updates to the policy.

SCHEDULE FOR ADOPTION: Prior to October 1, 2026.

AFFECTED PARTIES: Adults in the custody of the Department and adult facility staff.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 10 (ADULT), Subsection 20.2: Prisoner Drug and Alcohol Testing

STATUTORY BASIS: 34-A MRSA §§ 1402 and 3032

PURPOSE: This rule sets forth procedures for drug and alcohol testing of residents of Department adult facilities. This rule will be repealed and replaced to update the policy.

SCHEDULE FOR ADOPTION: Prior to October 1, 2026.

AFFECTED PARTIES: Adults in the custody of the Department and adult facility staff.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 10 (ADULT), Subsection 24.3: Religious Services

STATUTORY BASIS: 34-A MRSA §3048

PURPOSE: This rule provides for the accommodation of any resident of a Department adult facility who expresses a desire to practice a religion of their choice as long as the practice does not present a threat to the safety, security or orderly management of the facility. This rule will be repealed and replaced in order to update and clarify religious accommodations.

SCHEDULE FOR ADOPTION: Prior to October 1, 2026.

AFFECTED PARTIES: Adults in the custody of the Department and adult facility staff.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 10 (ADULT), Subsection 27.2: Supervised Community Confinement

STATUTORY BASIS: 34-A MRSA §3036-A

PURPOSE: This rule provides for a supervised community confinement program for certain residents of Department adult facilities. A repeal and replacement or an amendment to the rule may be needed to adjust procedures and make other updates and clarifications.

SCHEDULE FOR ADOPTION: Prior to October 1, 2026.

AFFECTED PARTIES: Adults in the custody of the Department, adults being supervised on this program in the community, and Department staff.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 10 (ADULT), Subsection 29.1: Adult Resident Grievance Process, General

STATUTORY BASIS: 34-A MRSA § 1402

PURPOSE: This rule sets forth procedures for grievances brought by residents of Department adult facilities, other than health care grievances. This rule may be repealed and replaced or amended to modify these procedures.

SCHEDULE FOR ADOPTION: Prior to October 1, 2026.

AFFECTED PARTIES: Adults in the custody of the Department and adult facility staff.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 10 (ADULT), Subsection 29.2: Adult Resident Grievance Process, Health Care

STATUTORY BASIS: 34-A MRSA § 1402

PURPOSE: This rule sets forth procedures for grievances brought by residents of Department adult facilities relating to health care. This rule may be repealed and replaced or amended to modify these procedures.

SCHEDULE FOR ADOPTION: Prior to October 1, 2026.

AFFECTED PARTIES: Adults in the custody of the Department and adult facility staff.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 10, Subsection 30.7: Variances

STATUTORY BASIS: 34-A MRSA §§1208 & 1208-A

PURPOSE: This rule establishes procedures to govern the submission and consideration of requests for variances from Department standards for county and municipal detention and correctional facilities, including provisions for Department consideration of appeals of decisions. An amendment to the rule may be needed to modify these procedures.

SCHEDULE FOR ADOPTION: Prior to October 1, 2026.

AFFECTED PARTIES: Municipal and county detention and correctional facilities and persons confined to or working in those facilities.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 11, Subsection 6.6: Payment of Restitution or Fines

STATUTORY BASIS: 17-A MRSA §§ 2006 & 2016 and 34-A MRSA § 3035

PURPOSE: This rule sets forth procedures for the collection of court ordered restitution, whether as a separate sentence or disposition or as a condition of probation. It also applies to all facility residents and community corrections clients who have a court ordered fine. A repeal and replacement or an amendment to the rule is needed for anticipated modifications to the payment of restitution and fines process and to comply with newly enacted laws.

SCHEDULE FOR ADOPTION: Prior to October 1, 2026.

AFFECTED PARTIES: Persons in the custody or under the supervision of the Department and Department staff.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 11 (ADULT) and (JUVENILE), Subsections 18.19.1 and 13.19.1: Restraint of Pregnant Prisoners and Residents

STATUTORY BASIS: 34-A MRSA § 3103

PURPOSE: Amendment of existing rule to update language.

SCHEDULE FOR ADOPTION: Prior to October 1, 2026

AFFECTED PARTIES: Adults and juveniles in the custody of the Department and adult and juvenile facility staff.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 12 (JUVENILE), Subsection 15.3: Resident Discipline System

STATUTORY BASIS: 34-A MRSA §3032

PURPOSE: This rule describes the disciplinary process and disciplinary offenses and punishments for juveniles in Department facilities. A repeal and replacement to the rule is needed to make updates in accordance with professional practices.

SCHEDULE FOR ADOPTION: Prior to October 1, 2026.

AFFECTED PARTIES: Juveniles in the custody of the Department and juvenile facility staff.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 12 (JUVENILE), Subsection 15.4: Drug and Alcohol Testing of Juvenile Clients

STATUTORY BASIS: 34-A MRSA §§ 1402 and 3032

PURPOSE: This rule sets forth procedures for drug and alcohol testing of juvenile residents and juvenile community corrections clients. This rule will be repealed and replaced to apply only to juvenile residents and to otherwise update the policy.

SCHEDULE FOR ADOPTION: Prior to October 1, 2026.

AFFECTED PARTIES: Juveniles in the custody or under the supervision of the Department and Department staff.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTERS 12 (JUVENILE), Subsection 20.1: Furlough Pass/Furlough Leave Program

STATUTORY BASIS: 34-A MRSA §3035

PURPOSE: This rule sets forth eligibility requirements, the process, and conditions for residents of Department juvenile facilities to participate in a furlough. This rule will be repealed and replaced to clarify when a resident of a juvenile facility may be eligible for or removed from furlough and to add an appeal provision.

SCHEDULE FOR ADOPTION: Prior to October 1, 2026.

AFFECTED PARTIES: Juveniles committed to a Department juvenile facility and juvenile facility staff.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 12 (JUVENILE), Subsection 20.4: Community Transition Program

STATUTORY BASIS: 34-A, MRSA §3035

PURPOSE: To propose a rule governing the transitioning of residents of Department juvenile facilities into the community through work release and other programs.

SCHEDULE FOR ADOPTION: Prior to October 1, 2026.

AFFECTED PARTIES: Juveniles committed to a Department juvenile facility and juvenile facility staff.

CONSENSUS BASED RULE DEVELOPMENT: N/A

CHAPTER 12 (JUVENILE), Subsection 29.1: Resident Grievance Process, General

STATUTORY BASIS: 34-A MRSA § 1402

PURPOSE: This rule sets forth procedures for grievances brought by residents of Department juvenile facilities, other than health care grievances. This rule may be repealed and replaced or amended to modify these procedures.

SCHEDULE FOR ADOPTION: Prior to October 1, 2026.

AFFECTED PARTIES: Juveniles in the custody of the Department and juvenile facility staff.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

CHAPTER 12 (JUVENILE), Subsection 29.2: Resident Grievance Process, Medical and Mental Health Care

STATUTORY BASIS: 34-A MRSA § 1402

PURPOSE: This rule sets forth procedures for grievances brought by residents of Department juvenile facilities relating to health care. This rule may be repealed and replaced or amended to modify these procedures.

SCHEDULE FOR ADOPTION: Prior to October 1, 2026.

AFFECTED PARTIES: Juveniles in the custody of the Department and juvenile facility staff.

CONSENSUS-BASED RULE DEVELOPMENT: N/A

AGENCY UMBRELLA-UNIT NUMBER: **03-208**

AGENCY: **State Parole Board**

EMERGENCY RULES ADOPTED SINCE THE LAST REGULATORY AGENDA:

None

EXPECTED 2025 - 2026 RULE-MAKING ACTIVITY: None
