

Notice of Agency Rulemaking Proposal

AGENCY: 03-201 Maine Department of Corrections

CHAPTER NUMBER AND TITLE: Ch. 10, Section 20.1, Adult Resident Discipline

TYPE OF RULE (*check one*): ☒ Routine Technical ☐ Major Substantive

PROPOSED RULE NUMBER (*leave blank; to be assigned by Secretary of State*):

BRIEF SUMMARY: This rule is proposed to be amended to allow residents of the Department's facilities to engage in certain financial transactions without committing a disciplinary violation and to make clarifications to the rule.

Copies of the proposed rule are available upon request by contacting the Department contact person identified below or on the Department of Corrections website at <https://www.maine.gov/corrections/policies> in the "Recently Proposed Rules" section. Pursuant to Maine law, interested parties are publicly notified of the proposed rulemaking and are provided with an opportunity for comment.

Date, time and location of PUBLIC HEARING (*if any*): August 11, 2026, from 10:00 A.M. to 12:00 P.M. in person in the MDOC Tyson Conference Room, 3rd Floor, Tyson Building, 25 Tyson Drive, Augusta, ME.

The Department requests that any interested party requiring special arrangements to attend the hearing contact the agency person listed below before August 4, 2026.

COMMENT DEADLINE: Comments on the proposed rule may be submitted no later than 4:00 P.M. on August 21, 2026. Interested parties may submit comments to the Maine Department of Corrections (MDOC) in the following manner(s):

- Navigating to the MDOC website at <https://www.maine.gov/corrections/policiesandrules/comment> and clicking on "Submit Comments" to fill out the "Rulemaking Public Comment" form (Preferred);
- By email to: Mary.A.Lucia@maine.gov; or
- In writing to: Mary Lucia, Maine Department of Corrections, 111 SHS, Augusta ME 04333.

CONTACT PERSON FOR THIS FILING (*include name, mailing address, telephone, fax, TTY, email*):

Mary Lucia
Department of Correction
111 SHS
Augusta ME 04333
Phone: (207) 530-0983
Fax: (207) 287-4370
mary.a.lucia@maine.gov

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

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

STATUTORY AUTHORITY FOR THIS RULE: Title 34-A, Section 3032

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

AGENCY WEBSITE: <https://www.maine.gov/corrections/>

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON: mary.a.lucia@maine.gov

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- ☐ The summary provided above is for publication in both the newspaper and website notices.
- ☐ The summary provided above is for the newspaper notice only. Title 5 §8053, sub-§5 & sub-§7, ¶D. A more detailed summary is attached for inclusion in the rulemaking notice posted on the Secretary of State’s website. Title 5 §8053, sub-§3, ¶D & sub-§6.

Please approve bottom portion of this form and assign appropriate AdvantageME number.


(authorized signature)

APPROVED FOR PAYMENT

DATE: 10/7/2025

FUND	AGENCY	ORG	APP	OBJ	PROGRAM	FUNDING Profile JVC	FUND Pri JVC	FUND Line JVC
010	03A	3001	01	4946				

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Additional Information for the Web (*if any*)

DETAILED SUMMARY: The following are the proposed changes to the current rule:

1. In Procedure L 19, adding that the facility Chief Administrative Officer, or designee, responding to a resident appeal of a discipline shall ensure that the disciplinary hearing officer is informed of the decision on the appeal.
2. In that same procedure, adding two procedures (L.23 & 24) relating to how to handle the paperwork if a disciplinary appeal is responded to after a resident is transferred from the facility where the disciplinary hearing was held.
3. In Procedure N (which is the list of resident disciplinary violations), changing the description of the violation “Business or Commerce” to permit a resident to rent or lease property if they have the written authorization of the Chief Administrative Officer.
4. Also in that procedure, changing the description of the violation “Debt” to permit a resident of a to take out a loan from a financial institution if they have the written authorization of the Chief Administrative Officer.
5. Finally in that procedure, clarifying that it is the resident’s burden to produce the written authorization and making it clear that it must be from the Chief Administrative Officer of the facility where the resident was housed at the time of the conduct at issue.
6. In Procedures O.11, 17 & 18, changing the time frame for revoking a suspension of a disciplinary sanction from if the resident is found guilty of a new violation “any time” later to if the resident commits a new violation within 120 days of the suspension.
7. Other, minor, clarifications in Procedures L, N, and O.