

Notice of Agency Rulemaking Proposal

AGENCY: 03-201 Maine Department of Corrections

CHAPTER NUMBER AND TITLE: Ch. 11, Subsection 2.12 Resident Accounts

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BRIEF SUMMARY: This rule is proposed to be repealed and replaced to update its provisions, including those related to acceptable ways of sending funds and hold periods on funds sent, and to add provisions on credit improvement loans and debit cards.

Copies of the proposed rule are available on the Maine Department of Corrections website at <https://www.maine.gov/corrections/policies> in the “Recently Proposed Rules” section and upon request by contacting the Department contact person identified below.

PUBLIC HEARING (*if any*): May 29, 2025, from 1:00 P.M. to 3:00 P.M. in person in the MDOC Board 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 May 22, 2025.

COMMENT DEADLINE: Comments on the proposed rule may be submitted no later than 5:00 P.M. on June 9, 2025. 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 our “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, Policy Development Coordinator
Department of Correction
111 SHS
Augusta ME 04333
Phone: (207) 530-0983
Fax: (207) 287-4370
TTY: 711 Maine Relay
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 3039

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

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

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.

Mary Lucia

APPROVED FOR PAYMENT

DATE: 4/30/25

(authorized signature)

FUND	AGENCY	ORG	APP	OBJ	PROGRAM	FUNDING Profile JVC	FUND Pri JVC	FUND Line JVC
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Additional Information for the Web *(if any)*

DETAILED SUMMARY:

This rule is proposed to be repealed and replaced to update its current provisions, including those related to acceptable ways of sending funds and to hold periods on checks, and to add new provisions on credit improvement loans and debit cards.

With respect to acceptable ways to send funds to residents, it is being proposed that personal checks, cashier's and certified checks from banks and credit unions, and money orders no longer be accepted, with family and friends still having the ability to send funds to residents via a direct deposit web-based credit card system.

With respect to hold periods on funds sent to residents via acceptable checks (e.g., government checks, work release and remote work payroll checks, etc.), it is proposed that the hold period be reduced from fourteen calendars days to seven calendar days.

It is also proposed that two procedures be added, one to allow and govern credit improvement loans made by banks and credit unions to residents as authorized by P.L. 2025, Ch. 6, and the other to govern approval for residents to have checking accounts and associated debit cards.

The proposal includes other, minor, clarifications.