**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](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.maine.gov%2Fsos%2Fcec%2Frules%2Findex.html&data=05%7C02%7CJ.Chris.Parr%40maine.gov%7C645b27059f0346864d7008dc94834bf0%7C413fa8ab207d4b629bcdea1a8f2f864e%7C0%7C0%7C638548538834447354%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=K93i9Iukz%2F4M1hnG1XnmVSNiEpRD2zB99vb6RheIZ8A%3D&reserved=0)

**PROPOSALS**

**AGENCY: 09-585 Department of Inland Fisheries and Wildlife, Maine Outdoor Heritage Fund**

**CHAPTER NUMBER AND TITLE: Ch. 25, Maine Outdoor Heritage – Strategic Plan**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P040**

**BRIEF SUMMARY:** The Maine Outdoor Heritage Fund Board is proposing to amend its strategic plan to provide a six-year review of the plan. A complete copy of the proposal may be obtained from the contact person listed below.

**PUBLIC HEARING** *(if any)*: 5/27/2025, 12:30pm Department of Agriculture, Conservation, and Forestry, Deering Building Room 101

**COMMENT DEADLINE:** 6/6/2025

**CONTACT PERSON FOR THIS FILING**: Carol Gay, Maine Outdoor Heritage Fund 37 Wiscasset Road, Pittston, ME 04345, 207-458-8421, carol.gay@maine.gov

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

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

**STATUTORY AUTHORITY FOR THIS RULE:** 12 MRS Section 10308

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

**AGENCY WEBSITE:** [www.maine.gov/ifw/mohf](http://www.maine.gov/ifw/mohf)

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** carol.gay@maine.gov

**AGENCY: 65-407 Public Utilities Commission**

**CHAPTER NUMBER AND TITLE: Ch. 305, Licensing Requirements, Annual Reporting, Enforcement and Consumer Protection Provisions for Competitive Provision of Electricity
TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P063**

**BRIEF SUMMARY:** The proposed rule is intended to conform to recent legislative changes regarding consumer consent for certain contract renewals and regarding early termination fees. The proposed rule also includes changes to reflect the Commission’s experience in enforcing the statutory and regulatory provisions applicable to competitive electricity providers (CEPs) and otherwise includes changes intended to provide consistency and clarity within the rule.

**PUBLIC HEARING** *(if any)*: **May 27, 2025** at the Public Utilities Commission, 26 Katherine Drive, Hallowell, Maine 04347. Interested persons wishing to participate remotely, via Microsoft Teams, may do so by obtaining a link from Dale Coty at Dale.Coty@maine.gov. Interested persons may also dial in to the hearing at the number provided to participate by audio. Call in: 207-209-4724 Conference ID: 767 784 922#

**COMMENT DEADLINE:** Initial written comments on the proposed rule may be filed until **May 22, 2025**. Final written comments on the proposed rule may be filed no later than **June 10, 2025**. All written comments should refer docket number 2025-00077 and be filed electronically with the Administrative Director using the Commission's CMS, a link for which is provided on the Commission’s website, or by mail to the Administrative Director, Public Utilities Commission, 18 State House Station, Augusta, Maine 04333-0018 if the filer does not have access to the internet.

**CONTACT PERSON FOR THIS FILING:** Eric Bryant, 18 State House Station, Augusta, ME 04333; (207) 287- 3831; eric.j.bryant@maine.gov

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

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

**STATUTORY AUTHORITY FOR THIS RULE:** 35-A M.R.S. §§ 104, 111 and 3203

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

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

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** pamela.kowalchuk@maine.gov

**AGENCY: 09-137 Department of Inland Fisheries and Wildlife**

**CHAPTER NUMBER AND TITLE: Ch. 16, Hunting (16.10, Wild Turkey Hunting)**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P066**

**BRIEF SUMMARY:** The Commissioner of Inland Fisheries and Wildlife is proposing to amend Chapter 16 rules to open WMD 3 to fall turkey hunting with a one turkey (can be either sex) season limit. Please contact the agency contact person for a complete copy of the rule proposal.

**PUBLIC HEARING** *(if any)*: May 27, 2025 @ 4:00pm – Inland Fisheries & Wildlife, 353 Water St., 3rd floor conference room, Augusta, ME

**COMMENT DEADLINE:** June 6, 2025

**CONTACT PERSON FOR THIS FILING:** Becky Orff, Inland Fisheries and Wildlife, 353 Water Street 41 SHS, Augusta, ME 04333; phone: 207-287-5202; fax: 207-287-6395; e-mail: Becky.Orff@maine.gov

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

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** *(if any)*: No fiscal impact.

**STATUTORY AUTHORITY FOR THIS RULE:** 12 MRS 10104, 11701

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

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

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** Becky.Orff@maine.gov

**AGENCY: 10-144 Department of Health and Human Services, Office for Family Independence**

**CHAPTER NUMBER AND TITLE: Ch. 330, Higher Opportunity for Pathways to Employment (HOPE) Program Rules (HOPE Rule #104 – Section 4: Dental Services Update)**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2025-P067**

**BRIEF SUMMARY:** Due to changes in Maine’s definition of medical services, the proposed rule change removes dental care from the HOPE Program’s financial supports available to the participant. The Department’s inability to cover a dental expense is tied directly to our federal funding source, the TANF block grant. The proposed rule change would update Section 4(B)(10) – Dental Care to align with Maine’s definition of dental services as a medical service (22 M.R.S. § 3174-F). The proposed rule change would remove the HOPE Program lifetime limit of two thousand dollars ($2,000) per HOPE participant for dental care because of the prohibition on using TANF funds for medical care in 42 U.S.C. 608(a)(6).

**PUBLIC HEARING** *(if any)*: No public hearing scheduled.

**COMMENT DEADLINE:** Monday, June 9, 2025, at 5:00 p.m. Eastern Time. Written public comments may be submitted via the link at <https://www.maine.gov/dhhs/about/rulemaking>

**CONTACT PERSON FOR THIS FILING**:

Sheri Wilkens, HOPE Program Manager

Department of Health and Human Services

Office for Family Independence

109 Capitol Street

Augusta, ME 04330-6841

Phone: (207) 557-0514/Fax: (207) 287-3455

TT Users Call Maine Relay – 711

Sheri.Wilkens@maine.gov

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

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** *(if any)*: No financial impact is anticipated on Municipalities or Counties.

**STATUTORY AUTHORITY FOR THIS RULE:** 22 M.R.S. §§ 42(1); 3174-F; 3790-A(6)

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

**AGENCY WEBSITE:** <https://www.maine.gov/dhhs/ofi>

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** Emily.A.Cathcart@maine.gov

**AGENCY: 03-201 Maine Department of Corrections**

**CHAPTER NUMBER AND TITLE: Ch. 11, Policy and Procedure Manual - Adult and Juvenile (Subsection 2.12 Resident Accounts)**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P068**

**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:**

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

**AGENCY: 94-649 Maine Commission on Public Defense Services**

**CHAPTER NUMBER AND TITLE: Ch. 301, Fee Schedule & Administrative Procedures for Payment of Counsel**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P069**

**BRIEF SUMMARY:** This Chapter establishes a fee schedule and administrative procedures for payment of Counsel. The Chapter sets a standard hourly rate and fee amounts that trigger presumptive review for specific case types. The Chapter also establishes rules for the payment of mileage and other expenses that are eligible for reimbursement by the Commission. Finally, this Chapter requires that all vouchers for attorney fees and reimbursable expenses must be submitted using the PDS electronic case management system. The revisions to this Chapter permit Counsel to seek payment for Secretarial Services and Paralegal Services on assigned cases.

**PUBLIC HEARING** *(if any)*: May 27, 2025 at 4:00PM, via Zoom and in room 500, Burton Cross Building, Augusta, Maine.

**COMMENT DEADLINE:** June 6, 2025

**CONTACT PERSON FOR THIS FILING:**

Darcy R. Fisher

154 State House Station, Augusta, Maine 04330

207-287-3263

darcy.fisher@maine.gov

**CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT** *(if different)*: None.

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

**STATUTORY AUTHORITY FOR THIS RULE:** 4 MRSA § 1804(2)(G)

**SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED** *(if different)*: None.

**AGENCY WEBSITE:** <https://www.maine.gov/pds/>

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** darcy.fisher@maine.gov

**AGENCY: 94-649 Maine Commission on Public Defense Services**

**CHAPTER NUMBER AND TITLE: Ch. 301-B, Requirements for Payment of Paralegal and Secretarial Services**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P070**

**BRIEF SUMMARY:** This Chapter establishes a method for Counsel to seek payment for Secretarial Services and Paralegal Services on assigned cases.

**PUBLIC HEARING** *(if any)*: May 27, 2025 at 4:00PM, via Zoom and in room 500, Burton Cross Building, Augusta, Maine.

**COMMENT DEADLINE:** June 6, 2025

**CONTACT PERSON FOR THIS FILING:**

Darcy R. Fisher

154 State House Station, Augusta, Maine 04330

207-287-3263

darcy.fisher@maine.gov

**CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT** *(if different)*: None.

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

**STATUTORY AUTHORITY FOR THIS RULE:** 4 MRSA § 1804(2)(G)

**SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED** *(if different)*: None.

**AGENCY WEBSITE:** <https://www.maine.gov/pds/>

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** darcy.fisher@maine.gov

**ADOPTIONS**

**AGENCY: 02-392 Department of Professional and Occupational Regulation (PFR), Office of Professional and Occupational Regulation (OPOR), Board of Pharmacy**

**CHAPTER NUMBER AND TITLE: Ch. 43, Prescribing, Dispensing and Administering HIV Prevention Drugs (including Appendix 1 Preventive Care HIV Pre-Exposure Prophylaxis (PrEP) Statewide Protocol and Appendix 2 Preventive Care HIV Post-Exposure Prophylaxis (PEP) Statewide Protocol)**

**ADOPTION FILING NUMBER: 2025-105**

**CONCISE SUMMARY:**

Board Rule Chapter 43 establishes standards for authorizing pharmacists to prescribe, dispense and administer HIV prevention drugs, set adequate training requirements and protocols for when there is no prescription drug order, standing order or collaborative practice agreement pursuant to Public Law 2021 Chapter 265.

**EFFECTIVE DATE: Tuesday, May 6, 2025**

**AGENCY CONTACT PERSON:** Geraldine L. Betts, Administrator

AGENCY NAME: Maine Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation, Board of Pharmacy

ADDRESS: 35 State House Station, Augusta ME 04333

EMAIL ADDRESS: Geraldine.L.Betts@maine.gov

TELEPHONE: 207-624-8625

**AGENCY:** **10-144 Department of Health and Human Services, Maine Center for Disease Control and Prevention**

**CHAPTER NUMBER AND TITLE: Ch. 208, Youth Camps Rule (formerly titled, “Rules Relating to Youth Camps, Day Camps and Primitive and Trip Camping”)**

**ADOPTION FILING NUMBER: 2025-106**

**CONCISE SUMMARY:**

Maine CDC is adopting amendments to its Rules Relating to Youth Camps, Day Camps and Primitive Trip Camping which it has renamed “Youth Camps Rule”. The Department’s amendments to the rule include rule format changes and a change to the rule title for consistency with other Maine CDC rules. The Department also added, updated and clarified definitions within the rule. Other changes within the rule include incorporating the application, licensing and enforcement provisions and requirements from its Health Inspection Program Administration Rule (Ch. 201). Amendments to Chapter 208 clarify camper safety standards related to swimming program requirements, adventure challenge activities, trip camping, farm animals, subsurface wastewater disposal systems, fire safety, drinking water testing and reporting, certified food protection manager criteria and reporting, hand-washing water temperature requirements, health supervisors, standing orders, medication protocols, reporting requirements for notifiable conditions and diseases, staff hiring and training requirements, supervision ratios for youth camp counselors to campers, and transportation protocols. The Department also added language to further clarify the prohibition against child abuse and neglect and prohibit hazing and bullying by counselors. The Department also added the Maine statutory requirement for camps to establish and maintain policies that prevent child abuse and neglect, as well as train staff on how to respond to and report allegations or observations of abuse, neglect, hazing or bullying.

**EFFECTIVE DATE: Monday, May 5, 2025**

**AGENCY CONTACT PERSON:**

NAME: Andrew Hardy

ADDRESS: 11 SHS - 286 Water Street, Augusta, ME 04333-0011

TELEPHONE: (207) 287-4490

E-MAIL ADDRESS: andrew.hardy@maine.gov

AGENCY WEBSITE: <http://www.maine.gov/dhhs/mecdc/rules/> <https://www.maine.gov/dhhs/about/rulemaking>

**AGENCY:** **06-096 Department of Environmental Protection**

**CHAPTER NUMBER AND TITLE:** **Ch. 90, Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances**

**ADOPTION FILING NUMBER: 2025-107**

**CONCISE SUMMARY:**

Chapter 90 establishes criteria for currently unavoidable uses of intentionally added PFAS in products and implement the sales prohibitions and notification requirements for products containing intentionally added PFAS but determined to be a currently unavoidable use pursuant to the amended 38 M.R.S. § 1614.

**EFFECTIVE DATE: Tuesday, May 6, 2025**

**AGENCY CONTACT PERSON:**

AGENCY NAME: Kerri Malinowski Farris

ADDRESS: 17 State House Station, Augusta, ME 04333

TELEPHONE: (207) 215-1894

**AGENCY:** **06-096 Department of Environmental Protection**

**CHAPTER NUMBER AND TITLE: Ch. 379, Compensation for Impacts to High-Value Agricultural Land from Solar Energy Development**

**ADOPTION FILING NUMBER:** **2025-108**

**CONCISE SUMMARY:**

Chapter 379, Compensation for Impacts to High-Value Agricultural Land from Solar Energy Development implements 38 M.R.S.§484-C of the Site Location of Development Law. P.L. 2023, ch. 448 directed the Department, in concert with the Department of Agriculture, Conservation, and Forestry (DACF), to create a compensation fee program for impacts to high-value agricultural land from solar energy developments that require a Site Law permit. This rule works in concert with DACF’s Chapter 575, Permitting Solar Energy Development on High-Value Agricultural Land. DACF’s Chapter 575 defines high-value agricultural land, establishes varying tiers based on value, and sets compensation ratios for each tier. The DEP’s Chapter 379 addresses the practical components of approving and accepting compensation fees and compensation projects for impacts to high-value agricultural lands identified during the DACF permitting process.

**EFFECTIVE DATE**: Not applicable because this is a provisionally adopted rule and has not been finally adopted.

**AGENCY CONTACT PERSON:**

Naomi Kirk-Lawlor

17 State House Station

Augusta, Me 04333

Phone: 207-287-7844

naomi.kirk-lawlor@maine.gov

**AGENCY:** **06-096 Department of Environmental Protection**

**CHAPTER NUMBER AND TITLE: Ch. 138, Reasonably Available Control Technologies for Facilities that Emit Nitrogen Oxides (NOx RACT)**

**ADOPTION FILING NUMBER: 2025-109**

**CONCISE SUMMARY:**

The Department is revising Chapter 138 to clarify applicability of the rule; to reevaluate NO­x RACT for affected facilities located in the ozone transport region (OTR) due to promulgation of the 2015 8-hour ozone National Ambient Air Quality Standard (NAAQS); to replace blanket exemptions with alternative emission limits; and to remove obsolete requirements.

**EFFECTIVE DATE: Wednesday, May 7, 2025**

**AGENCY CONTACT PERSON:** Lynn Muzzey

AGENCY NAME: Department of Environmental Protection

ADDRESS: 17 SHS, Augusta, ME 04333-0017

TELEPHONE:(207) 332-1279

 lynn.muzzey@maine.gov