**State of Maine: Notice of Agency Rulemaking – May 17, 2023**

**NOTICE OF STATE RULEMAKING**

**Public Input for Rules**

Notices are published each Wednesday to alert the public regarding state agency rulemaking. You may obtain a copy of any rule by notifying the agency contact person. You may also comment on the rule, and/or attend the public hearing. If no hearing is scheduled, you may request one - the agency may then schedule a hearing, and must do so if 5 or more persons request it. If you are disabled or need special services to attend a hearing, please notify the agency contact person at least 7 days prior to it. **Petitions**: you can petition an agency to adopt, amend, or repeal any rule; the agency must provide you with petition forms, and must respond to your petition within 60 days. The agency must enter rulemaking if the petition is signed by 150 or more registered voters, and may begin rulemaking if there are fewer. You can also petition the Legislature to review a rule; the Executive Director of the Legislative Council (115 State House Station, Augusta, ME 04333, phone (207) 287-1615) will provide you with the necessary petition forms. The appropriate legislative committee will review a rule upon receipt of a petition from 100 or more registered voters, or from "...any person who may be directly, substantially and adversely affected by the application of a rule..." (Title 5 §11112). **World‑Wide Web**: Copies of the weekly notices and the full texts of adopted rule chapters may be found on the internet at: <http://www.maine.gov/sos/cec/rules>. There is also a list of rulemaking liaisons (<http://www.maine.gov/sos/cec/rules/liaisons.html>), who are single points of contact for each agency.

**PROPOSALS**

AGENCY: **16-633** – Department of Public Safety (DPS), **Gambling Control Unit**

**Regulation of Sports Wagering**

**Ch. 50** – Introduction

**Ch. 51** – Definitions

**Ch. 52** – License Application, Fee and Renewal

**Ch. 53** – Internal Controls

**Ch. 54** – Facility Operator Operational Requirements

**Ch. 55** - Physical Premise Requirements

**Ch. 56** - House Rules

**Ch. 57** – Sports Wagering System Requirements

**Ch. 58** – Sports Wagers

**Ch. 59** – Sports Wagering Kiosks

**Ch. 60** – Sports Wagering Accounts

**Ch. 61** – Sports Wagering Revenue Reconciliations

**Ch. 62** – Geolocation and Remote Access

**Ch. 63** – Responsible Wagering Program

**Ch. 64** – Advertising and Promotions

**Ch. 65** – Management Service Contract Criteria

**Ch. 66** – Complaints and Disciplinary Actions

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBERS: **2023-P001** *thru* **P017** *(2nd publication)*

BRIEF SUMMARY: These rules are to comply with changes in state law under 8 MRS Ch. 35. Establishes rules for Sports wagering to include eligibility for license, operational and physical premise requirements, wagering systems and accounts, responsible gaming, advertising and promotions and complaints.

PUBLIC HEARING: None - applicable written comments only

COMMENT DEADLINE: June 16, 2023

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION / AGENCY RULEMAKING LIAISON: Milton Champion, Gambling Control Unit, 45 Commerce Drive, Augusta ME 04333. Telephone: (207) 626-3900. Email: [Milton.F.Champion@Maine.gov](mailto:Milton.F.Champion@Maine.gov).

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: N/A

STATUTORY AUTHORITY FOR THIS RULE: 8 MRS §1203(1.) & (2.)

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

AGENCY WEBSITE: <https://www.maine.gov/dps/gamb-control/index.html>.

AGENCY: **02-384** - Department of Professional and Financial Regulation (PFR), Office of Professional and Occupational Regulation (OPOR), **Board of Alcohol & Drug Counselors**

CHAPTER NUMBER AND TITLE: **Ch. 5-A**, Licensure by Endorsement

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2023-P097**

BRIEF SUMMARY: The principal reason for this proposed rulemaking is to propose a rule to implement a pathway for licensure by Endorsement pursuant to Public Law 2021 Ch. 167, *An Act to Facilitate Licensure for Credentialed Individuals from Other Jurisdictions*, and Public Law 2021 Ch. 642, *An Act To Make Changes to the Laws Regarding Licensure of Certain Individuals from Other Jurisdictions*.

PUBLIC HEARING: N/A. *Pursuant to 5 MRS §8052(1) and §8053(3)(B), a hearing may be requested by five (5) interested persons by submitting a request in writing to contact person for this filing.*

COMMENT DEADLINE: Friday, June 16, 2023 at 5:00 p.m.

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Kristina M. Halvorsen, 35 State House Station, Augusta, ME 04333. Telephone: (207) 624-8420. TTY: Maine relay 711. Email: [Kristina.M.Halvorsen@Maine.gov](mailto:Kristina.M.Halvorsen@Maine.gov).

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: N/A

STATUTORY AUTHORITY FOR THIS RULE: 32 MRS §§ 6212(4), 6220(2); 10 MRS §8003-H

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

AGENCY WEBSITE: <https://www.maine.gov/pfr/professionallicensing/professions/adc>.

AGENCY RULEMAKING LIAISON: [Kristin.Racine@Maine.gov](mailto:Kristin.Racine@Maine.gov).

AGENCY: **02-396** - Department of Professional and Financial Regulation (PFR), Office of Professional and Occupational Regulation (OPOR), **Board of Licensure of Podiatric Medicine**

CHAPTER NUMBER AND TITLE: **Ch. 1-A**, Licensure By Endorsement

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2023-P098**

BRIEF SUMMARY: The principal reason for this proposed rulemaking is to propose a rule to implement a pathway for licensure by Endorsement pursuant to Public Law 2021 Ch. 167, *An Act to Facilitate Licensure for Credentialed Individuals from Other Jurisdictions*, and Public Law 2021 Ch. 642, *An Act To Make Changes to the Laws Regarding Licensure of Certain Individuals from Other Jurisdictions*.

PUBLIC HEARING: N/A. *Pursuant to 5 MRS §8052(1) and §8053(3)(B), a hearing may be requested by five (5) interested persons by submitting a request in writing to contact person for this filing.*

COMMENT DEADLINE: Friday, June 16, 2023, at 5:00 p.m.

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Kristina M. Halvorsen, 35 State House Station, Augusta, ME 04333. Telephone: (207) 624-8420. TTY: Maine relay 711. Email: [Kristina.M.Halvorsen@Maine.gov](mailto:Kristina.M.Halvorsen@Maine.gov).

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: N/A

STATUTORY AUTHORITY FOR THIS RULE: 32 MRS §§ 3605-B(3), 3654-A; 10 MRS §8003-H

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

AGENCY WEBSITE: <https://www.maine.gov/pfr/professionallicensing/professions/board-licensure-podiatric-medicine>.

AGENCY RULEMAKING LIAISON: [Kristin.Racine@Maine.gov](mailto:Kristin.Racine@Maine.gov).

AGENCY: **10-148** - Department of Health and Human Services (DHHS), **Office of Child and Family Services (OCFS)**

CHAPTER NUMBER AND TITLE: **Ch. 6**, Child Care Subsidy Program Rules

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2023-P099**

BRIEF SUMMARY: Maine’s Department of Health and Human Services (Department) has maintained a Quality Rating and Improvement System (QRIS) since 2008. On February 13, 2023, the Department updated and codified its QRIS with the adoption of 10-148 CMR Ch. 31, *Quality Rating and Improvement System: Rising Stars for ME (Rising Stars for ME)*. Rising Stars for ME changed Maine’s QRIS from a four step to a five-star rating system. The proposed amendments to 10-148 CMR Ch. 6, *Child Care Subsidy Program Rules (CCSP Rules)* in this rulemaking aligns the CCSP Rules’ provisions regarding reduction in parent fees for children attending higher quality child care programs and increased reimbursement for providers with higher quality rating with Rising Stars for ME. Moreover, Rising Stars for ME changed Maine’s prior QRIS by including CCSP License-Exempt Providers. The proposed rule amends the CCSP rules to reflect this change by requiring nonrelative License-Exempt Child Care Providers to enroll in, and maintain a minimal level, under Rising Stars for ME.

PUBLIC HEARING: *The Department is not holding a public hearing for this minor, routine technical rule change to align the rule with the recently-adopted Rising Stars for ME. Members of the public may submit written comments on the proposed rule amendments by the comment deadline.*

COMMENT DEADLINE: June 17, 2023

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Crystal Arbour, Child Care Services Program Manager, 2 Anthony Avenue - 11 State House Station, Augusta, ME 04333. Telephone: (207) 626-8683. Email: [Crystal.Arbour@Maine.gov](mailto:Crystal.Arbour@Maine.gov).

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

STATUTORY AUTHORITY FOR THIS RULE: 22 MRS §§ 42, 3737

SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED: *Child Care and Development Block Grant (CCDBG) Act*, 42 USC §§ 9857-9858r.

OFCS WEBSITE: <https://www.maine.gov/dhhs/ocfs>.

DHHS WEBSITE: <https://www.maine.gov/dhhs/>.

DHHS RULEMAKING LIAISON: [Emily.A.Cathcart@Maine.gov](mailto:Emily.A.Cathcart@Maine.gov).

AGENCY: **29-250** - Secretary of State (SOS), **Bureau of Corporations, Elections and Commissions (CEC)**

CHAPTER NUMBER AND TITLE: **Ch. 700** *(Repeal and replace)*, Rules Governing Notaries Public, Notarial Officers, Notarial Acts and the Procedures for Electronic and Remote Notarization

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2023-P100**

BRIEF SUMMARY: The rule will govern notaries public, notarial officers and notarial acts including establishing the standards and procedures for electronic and remote notarization pursuant to the *Revised Uniform Law on Notarial Acts*. This new rule will repeal and replace the current notary rule (Ch. 700).

PUBLIC HEARING: June 8, 2023, 111 Sewall Street, Burton Cross Building, 4th Floor, Room 400, Augusta, ME from 1:00 p.m. to 3:00 p.m.

COMMENT DEADLINE: June 19, 2023, 5:00 p.m.

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Cathy Beaudoin, Director of Corporations, UCC & Commissions, 111 Sewall Street – 29 State House Station, Augusta, Maine 04333. Telephone: (207) 624-7748. Fax: (207) 287-5874. Email: [Cathy.Beaudoin@Maine.gov](mailto:Cathy.Beaudoin@Maine.gov).

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: N/A

STATUTORY AUTHORITY FOR THIS RULE: Title 4 section 1928, and Title 4 section 1915(13) - (*Revised Uniform Law on Notarial Acts*)

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

CEC WEBSITE: [www.maine.gov/sos/cec/](http://www.maine.gov/sos/cec/).

CEC RULEMAKING LIAISON: [Julie.Flynn@Maine.gov](mailto:Julie.Flynn@Maine.gov).

AGENCY: **29-250** - Secretary of State (SOS), **Bureau of Corporations, Elections and Commissions (CEC)**

CHAPTER NUMBER AND TITLE: **Ch. 720**, Rules Governing the Licensing of Marriage Officiants who are Authorized to Solemnize Marriages in Maine

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2023-P101**

BRIEF SUMMARY: The rule will govern the licensing of marriage officiants pursuant to Title 5 section 90-G who are thereby authorized to solemnize marriages in Maine pursuant to Title 19-A Ch. 23.

PUBLIC HEARING: June 8, 2023, 111 Sewall Street - Burton Cross Building, 4th Floor, Room 400, Augusta, ME from 3:00 p.m. to 5:00 p.m.

COMMENT DEADLINE: June 19, 2023 - 5:00 p.m.

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Cathy Beaudoin, Director of Corporations, UCC & Commissions, 111 Sewall Street, Augusta, Maine 04333. Telephone: (207) 624-7748. Fax: (207) 287-5874. Email: [Cathy.Beaudoin@Maine.gov](mailto:Cathy.Beaudoin@Maine.gov).

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: N/A

STATUTORY AUTHORITY FOR THIS RULE: Title 5 section 90-G

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

CEC WEBSITE: [www.maine.gov/sos/cec/](http://www.maine.gov/sos/cec/).

CEC RULEMAKING LIAISON: [Julie.Flynn@Maine.gov](mailto:Julie.Flynn@Maine.gov).

AGENCY: **02-030** - Department of Professional and Financial Regulation (PFR), **Bureau of Consumer Credit Protection**

TYPE OF RULES: Routine Technical

CHAPTER NUMBER AND TITLE: **Ch. 702** *(New)*, Establishment of Registration and Renewal Fees and Registration Requirements for Maine’s Employee Leasing Company Registration and Requirement for Registration through the Nationwide Multistate Licensing System(NMLS)

PROPOSED RULE NUMBER: **2023-P102**

BRIEF SUMMARY: This chapter makes the modifications necessary to transition registration of all employee leasing companies currently registered by the State of Maine to a multi-state system administered by the Nationwide Multistate Licensing System (NMLS). As authorized by law, this chapter establishes an annual registration effective from January 1 through December 31 of each year, sets application and renewal fees for employee leasing companies, and sets application requirements. The rule requires applicants for new registrations to apply to NMLS as of the effective date of this rule and requires employee leasing companies currently registered in Maine to transition to NMLS

CHAPTER NUMBER AND TITLE: **Ch. 703** *(New)*, Establishment of Fees and Application Requirements for Maine’s Exchange Facilitator Licensing

PROPOSED RULE NUMBER: **2023-P103**

BRIEF SUMMARY: This chapter eliminates the April 30 licensing date for exchange facilitators, substituting a license term effective from January 1 through December 31 each year, sets application and renewal fees for exchange facilitators, and sets requirements for information and documentation which must be submitted in support of a license application.

CHAPTER NUMBER AND TITLE: **Ch. 706** *(New)*, Establishment of Registration and Renewal Fees and Application Requirements for Maine’s Debt Management Service Provider Registration and Requirement for Registration through the Nationwide Multi-State Licensing System (NMLS)

PROPOSED RULE NUMBER: **2023-P104**

BRIEF SUMMARY: This chapter makes the modifications necessary to transition registration of all debt management service providers currently registered by the State of Maine to a multi-state system administered by the Nationwide Multi-state Licensing System (NMLS). As authorized by law, this Chapter establishes an annual registration effective from January 1 through December 31 of each year sets application and renewal fees, and establishes application requirements for debt management service providers. The rule requires applicants for new registrations to apply to NMLS as of November 1, 2023 and requires debt management service providers currently registered in Maine to transition to NMLS.

CHAPTER NUMBER AND TITLE: **Ch. 707** *(New)*, Establishment of License and Renewal Fees and Licensing Requirements for Maine’s Loan Broker Licensing and Requirement for Licensing through the Nationwide Multistate Licensing System (NMLS)

PROPOSED RULE NUMBER: **2023-P105**

BRIEF SUMMARY: This chapter makes the modifications necessary to transition licensing of all loan brokers currently licensed by the State of Maine to a multi-state system administered by the Nationwide Multistate Licensing System (NMLS). As authorized by law, this chapter converts the two-year license for loan brokers who do not make or arrange residential mortgage loans to a one-year license and eliminates the January 31st licensing date, substituting an annual license effective from January 1 through December 31 of each year. It sets application and renewal fees and application requirements for loan brokers. The rule permits currently licensed non-residential mortgage loan brokers to transition as renewals onto the system for a limited period of time starting November 1, 2023 and permits applicants for new licenses to apply to NMLS as of November 1, 2023.

CHAPTER NUMBER AND TITLE: **Ch. 710** *(New)*, Establishment of License and Renewal Fees and Application Requirements for Maine’s Payroll Processor Licensing and Requirement for Licensing through the Nationwide Multistate Licensing System(NMLS)

PROPOSED RULE NUMBER: **2023-P106**

BRIEF SUMMARY: This chapter makes the modifications necessary to transition licensing of all payroll processors currently licensed by the State of Maine to a multi-state system administered by the Nationwide Multistate Licensing System (NMLS). As authorized by law, this chapter eliminates the current January 31 licensing date, substituting an annual license effective from January 1 through December 31 of each year. It sets application and renewal fees and application requirements for payroll processors. The rule permits currently licensed payroll processors to transition as renewals onto the system for a limited period of time starting November 1, 2023 and permits applicants for new licenses to apply through the NMLS as of November 1, 2023.

CHAPTER NUMBER AND TITLE: **Ch. 711** *(New)*, Establishment of License and Renewal Fees and Application Requirements for Maine’s Supervised Lenders and Requirement for Licensing of All Supervised Lenders through the Nationwide Multistate Licensing System(NMLS)

PROPOSED RULE NUMBER: **2023-P107**

BRIEF SUMMARY: This chapter makes the modifications necessary to transition licensing of all non-mortgage supervised lenders currently managed by paper applications and paper renewals to a multistate online system called the Nationwide Multistate Licensing System (NMLS). The State of Maine will continue to Administer the licensing program but will utilize NMLS as the system of record for all supervised lenders. As authorized by law, this chapter converts the two-year license for supervised lenders who do not make or arrange residential mortgage loans to a one-year license; and eliminates the September 30 licensing date, substituting an annual license effective from January 1 through December 31 of each year; and sets application and renewal fees and application requirements for all supervised lenders. The rule permits currently licensed lenders who do not make residential mortgage loans to transition as renewals onto the system for a limited period of time starting November 1, 2023 and permits applicants for new licenses to apply to NMLS as of November 1, 2023.

CHAPTER NUMBER AND TITLE: **Ch. 712** *(New)*, Establishment of License and Renewal Fees and Application Requirements for Maine’s Foreclosure Purchaser Licensing

PROPOSED RULE NUMBER: **2023-P108**

BRIEF SUMMARY: This chapter sets an annual license term from January 1 through December 31 of each year; and sets application and renewal fees and application requirements for foreclosure purchasers.

CHAPTER NUMBER AND TITLE: **Ch. 713** *(New)*, Establishment of Registration and Renewal Fees and Application Requirements for Maine’s Guaranteed Asset Protection Waiver Administrators and Requirement for Registration through the Nationwide Multistate Licensing System (NMLS)

PROPOSED RULE NUMBER: **2023-P109**

BRIEF SUMMARY: This chapter makes the modifications necessary to transition registration of all guaranteed asset protection waiver administrators currently registered by the State of Maine to a multistate system administered by the Nationwide Multistate Licensing System (NMLS). As authorized by law, this chapter establishes an annual registration effective from January 1 through December 31 of each year and sets application and renewal fees and application requirements for guaranteed asset protection waiver administrators. The rule requires applicants for new registrations to apply to NMLS as of November 1, 2023 and requires guaranteed asset protection waiver administrators currently registered in Maine to transition to NMLS.

CHAPTER NUMBER AND TITLE: **Ch. 714** *(New)*, Establishment of Registration and Renewal Fees and Registration Requirements for Maine’s Consumer Credit Code Legal Funding Practices Registration

PROPOSED RULE NUMBER: **2023-P110**

BRIEF SUMMARY: This chapter establishes an annual registration effective from January 1 through December 31 of each year and sets application and renewal fees and application requirements for Litigation Funding Providers.

CHAPTER NUMBER AND TITLE: **Ch. 715** *(New)*, Establishment of Registration and Renewal Fees and Application Requirements for Maine Residential Real Estate Settlement Agency Registration and Requirement for Registration through the Nationwide Multistate Licensing System(NMLS)

PROPOSED RULE NUMBER: **2023-P111**

BRIEF SUMMARY: This chapter makes the modifications necessary to transition registration of all real estate settlement agencies currently registered by the State of Maine to a multistate system administered by the Nationwide Multistate Licensing System (NMLS). As authorized by law, this chapter establishes an annual registration effective from January 1 through December 31 of each year and sets application and renewal fees and application requirements for settlement agencies. The rule requires applicants for new registrations to apply to NMLS as of November 1, 2023 and requires settlement agencies currently registered in Maine to transition to NMLS.

**PUBLIC HEARING:** N/A

COMMENT DEADLINE: June 19, 2023

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Mark E. Susi, Staff Attorney, Bureau of Consumer Credit Protection, 35 State House Station, Augusta, ME 04333. Telephone: (207) 624-8527. Fax: (207) 582-7699. TTY Users Call Maine Relay 711. Email: [Mark.E.Susi@Maine.gov](mailto:Mark.E.Susi@Maine.gov).

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES*:* None Anticipated

BUREAU WEBSITE: <https://www.maine.gov/pfr/consumercredit/index.shtml>.

BUREAU RULEMAKING LIAISON: [Kristine.M.Fournier@Maine.gov](mailto:Kristine.M.Fournier@Maine.gov).

**ADOPTIONS**

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

CHAPTER NUMBERS AND TITLES:

**Ch. 4-A**, Administration of Drugs and Vaccines *(Amend)*

**Ch. 41**, Sales of Nonprescription Drugs through Vending Machine Outlets *(New)*

**Ch. 42**, Compounding Drugs for Veterinarian Office Use *(New)*

ADOPTED RULE NUMBERS: **2023-068, 069, 070**

CONCISE SUMMARY: Rules adopted are in response to laws enacted from the 129th and 130th Legislature:

Ch. 4-A sets forth minimum requirements for treatment protocols, administration and recordkeeping requirements, and standards for the administration of drugs and vaccines and the operation of drug and vaccine administration clinics.

Ch. 41 sets forth requirements for licensing, management and safe operation of non-prescription drug vending machine outlets.

Ch. 42 establishes the terms and conditions for the compounding and distribution of animal drugs for nonfood-producing animals and nonpatient-specific use in veterinary offices.

EFFECTIVE DATE: May 15, 2023

AGENCY CONTACT PERSON: Geraldine L. Betts, Administrator, Maine Department of Professional and Financial Regulation - Office of Professional and Occupational Regulation, Board of Pharmacy, 35 State House Station, Augusta ME 04333. Telephone: (207) 624-8625. Email: [Geraldine.L.Betts@Maine.gov](mailto:Geraldine.L.Betts@Maine.gov).

BOARD WEBSITE: <https://www.maine.gov/pfr/professionallicensing/professions/board-pharmacy>.

OPOR RULEMAKING LIAISON: [Kristin.Racine@Maine.gov](mailto:Kristin.Racine@Maine.gov) .

AGENCY: **13-188 - Department of Marine Resources (DMR)**

CHAPTER NUMBER AND TITLE: **Ch. 41**, Menhaden: Atlantic Menhaden - 2023 Season

ADOPTED RULE NUMBER: **2023-071**

CONCISE SUMMARY: This rule specifies a separate start date of the commercial menhaden season for pound nets and fish weirs of June 1st, annually at a reduced daily limit until the broader commercial menhaden fishery opens. Licensed operators of pound nets and fish weirs must mark their gears with buoys that include their full name and DMR Landings number and only that license holder may harvest from that marked gear.

All other gears begin commercial menhaden harvesting on the third Monday of June, annually. This rule established daily and/or weekly trip limits and open harvest days for the commercial fishery in each fishery phase: State Allocation, Episodic Event set aside, and Incidental Catch and Small Scale. Permissible gear types have been specified for the general menhaden fishery and specifically for the Incidental Catch and Small Scale Fishery as well as the Noncommercial menhaden fishery. The rule also includes a provision that would authorize the Commissioner to prohibit the commercial taking of menhaden for up to 14 days during the State Allocation fishery, if necessary to slow the rate at which the quota is caught.

EFFECTIVE DATE: May 17, 2023

DMR CONTACT PERSON: Amanda Ellis, Department of Marine Resources, 21 State House Station, Augusta, Maine 04333. Telephone: (207) 624-6573. Fax: (207) 624-6024. TTY: (207) 633-9500 (Deaf/Hard of Hearing). Email: [dmr.rulemaking@maine.gov](mailto:dmr.rulemaking@maine.gov).

DMR RULEMAKING WEBSITE: <http://www.maine.gov/dmr/rulemaking/>.

DMR WEBSITE: <http://www.maine.gov/dmr/>.

E-MAIL: [dmr.rulemaking@maine.gov](mailto:dmr.rulemaking@maine.gov)

DMR RULEMAKING LIAISON: [Deirdre@Gilbert@Maine.gov](mailto:Deirdre@Gilbert@Maine.gov).

AGENCY: **09-137 – Department of Inland Fisheries and Wildlife (IFW)**

CHAPTER NUMBER AND TITLE: **Ch. 5**, State Owned Wildlife Management Areas, Shooting Ranges and Boat Launch Facilities: **5.01(G)(4)**, Steve Powell Wildlife Management Area (Swan Island) Perkins Township, Sagadahoc County

ADOPTED RULE NUMBER: **2023-072**

CONCISE SUMMARY: The Commissioner of the Department of Inland Fisheries and Wildlife (DIFW) has amended Ch. 5 rules as they pertain to operations at the Steve Powell Wildlife Management Area (WMA) in Perkins TWP, Sagadahoc County. The WMA is now a self-access model for both day-use and overnight camping from May 1 to October 30 annually. This model of operation also removes the need for the public to reserve camping facilities and provides clarity to other rule provisions specific to the Steve Powell WMA. These changes allow for continued public use and enjoyment of the resource while at the same time creating consistency regarding access to all other WMAs. For a complete copy of the rule please contact the agency contact person.

EFFECTIVE DATE: May 21, 2023

IFW CONTACT PERSON / SMALL BUSINESS IMPACT INFORMATION / RULEMAKING LIAISON: Becky Orff, Inland Fisheries and Wildlife, 353 Water Street - 41 State House Station, Augusta, ME 04333. Telephone: (207) 287-5202. Email: [Becky.Orff@Maine.gov](mailto:Becky.Orff@Maine.gov).

IFW WEBSITE: <https://www.maine.gov/ifw/>.

AGENCY: **09-137 – Department of Inland Fisheries and Wildlife (IFW)**

CHAPTER NUMBER AND TITLE: **Ch. 16**, Hunting: **16.08**, Moose Hunting (permit allocations)

ADOPTED RULE NUMBER: **2023-073**

CONCISE SUMMARY: The Department of Inland Fisheries and Wildlife has adopted moose permit allocation numbers for moose hunting permits to be issued for the 2023 moose hunting season. Permits will be issued for antlered and antlerless moose. As was done previously in WMDs 27 & 28, the Department has combined additional units wherein a permittee can hunt either WMD. Adjustments have also been made to season dates for the Adaptive Management Unit hunt. Permit allocations according to Wildlife Management District are as follows:

**WMD 1** – 450 antlered / 175 antlerless

**WMD 2** – 350 antlered /175 antlerless

**WMD 3 –** 200 antlered / 125 antlerless

**WMD 4** – 400 antlered / 100 antlerless

**WMD 4A (adaptive hunt)** – 550 antlerless

**WMD 5** – 250 antlered / 125 antlerless

**WMD 6 –** 200 antlered / 60 antlerless

**WMD 7 & 13 (combined) –** 140 antlered

**WMD 8** – 200 antlered / 150 antlerless

**WMD 9** – 125 antlered

**WMD 10** – 60 antlered

**WMD 11** – 50 antlered

**WMD 12 & 15 (combined)** – 40 antlered

**WMD 14 & 17 (combined)** – 40 antlered

**WMD 16** – 0 permits

**WMD 18** – 40 antlered

**WMD 19** – 60 antlered

**WMD 27** **& 28 (combined)** – 40 antlered

**Totals: 4,105 – 2,645 (antlered), 1,460 (antlerless)**

Please contact the agency contact person for a complete copy of the rule.

EFFECTIVE DATE: May 21, 2023

IFW CONTACT PERSON / SMALL BUSINESS IMPACT INFORMATION / RULEMAKING LIAISON: Becky Orff, Inland Fisheries and Wildlife, 353 Water Street - 41 State House Station, Augusta, ME 04333. Telephone: (207) 287-5202. Email: [Becky.Orff@Maine.gov](mailto:Becky.Orff@Maine.gov).

IFW WEBSITE: <https://www.maine.gov/ifw/>.