**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: 16-633 Department of Public Safety, Gambling Control Unit**

**CHAPTER NUMBER AND TITLE:** **Ch. 32, Rules Relating to Games of Chance**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P083**

**BRIEF SUMMARY:** This rule package is to create a rule to define special events and remove the requirement for form 5475.

**PUBLIC HEARING** *(if any)*: Non applicable – written comments only

**COMMENT DEADLINE:** 11:59 PM Monday, July 7, 2025

**CONTACT PERSON FOR THIS FILING:** Milton Champion, Executive Director, 45 Commerce Dr. Suite 3, Augusta ME 04333, 207-626-3901, [Milton.f.champion@maine.gov](mailto:Milton.f.champion@maine.gov)

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

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

**STATUTORY AUTHORITY FOR THIS RULE:** 17 M.R.S.A. Chapter 62 § 1843

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

**AGENCY WEBSITE:** [Gambling Control Unit (maine.gov)](https://www.maine.gov/dps/gamb-control/)

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** [milton.f.champion@maine.gov](mailto:milton.f.champion@maine.gov)

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

**CHAPTER NUMBER AND TITLE: Ch. 3, Eligibility Requirements for Specialized Panels**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P084**

**BRIEF SUMMARY:** Chapter 2 of the Commission’s rules sets out the minimum requirements to be Eligible to accept assignments from the Commission. The rules in Chapter 3 are promulgated to establish the eligibility requirements for Specialized Panels.

**PUBLIC HEARING** *(if any)*: June 25, 2025 at 1:00PM, hybrid via Zoom and room 500, Burton Cross Building, Augusta, Maine.

**COMMENT DEADLINE:** July 5, 2025

**CONTACT PERSON FOR THIS FILING:**

Darcy R. Fisher

154 State House Station, Augusta, Maine 04330

207-287-3263

[darcy.fisher@maine.gov](mailto: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)(B)

**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](mailto:darcy.fisher@maine.gov)

**AGENCY: 01-001 Department of Agriculture, Conservation and Forestry**

**CHAPTER NUMBER AND TITLE: Ch. 3, The Emergency Food Assistance Program**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P085**

**BRIEF SUMMARY:** The Emergency Food Assistance Program (TEFAP) is a federal program that provides food assistance to low-income households. It's a partnership between the USDA, states, and local organizations like food banks, distributing USDA-purchased foods to eligible recipients.  The Maine TEFAP Fund, as outlined in Section 4, is established as a non-lapsing fund to support the emergency food assistance program administered by the Department of Agriculture, Conservation and Forestry. Money in the fund must be expended as allocated by the Legislature to support the emergency food assistance program administered by the department. The fund may receive money from any source, including grants, gifts, bequests, and donations. The rule will establish the purpose and acceptable uses of the fund, as well as protocols for grant submission, including content and timelines.

**PUBLIC HEARING:** 6/23/25 10am - 11am, Deering Bldg. Rm 101 & via Teams online. Please email [gustav.nelson@maine.gov](mailto:gustav.nelson@maine.gov) for link to Teams mtg.

**COMMENT DEADLINE:** 7/3/25

**CONTACT PERSON FOR THIS FILING:** Gustav Nelson, 90 Blossom Lane, 28 State House Station, Augusta ME 04333, 207-287-7513, [gustav.nelson@maine.gov](mailto:gustav.nelson@maine.gov)

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

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

**STATUTORY AUTHORITY FOR THIS RULE:** 36 MRS 5293

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

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

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** [Shannon.ayotte@maine.gov](mailto:Shannon.ayotte@maine.gov)

**AGENCY: 01-672 Department of Agriculture, Conservation, and Forestry, Maine Land Use Planning Commission**

**CHAPTER NUMBERS AND TITLES:**

**Ch. 2, Definitions**

**Ch. 10, Land Use Districts and Standards**

**TYPE OF RULES: Routine Technical**

**PROPOSAL FILING NUMBERS: 2025-P086 (Ch. 2), 2025-P087 (Ch. 10)**

**BRIEF SUMMARY:** The Maine Land Use Planning Commission is proposing amendments to Chapter 2, *Definitions* and Chapter 10, *Land Use Districts and Standards,* to implement rules regarding short-term rental of residential properties in the Commission’s service area. The proposed amendments to Chapter 2 include a definition of short-term rental and clarify or update related definitions. The proposed amendments to Chapter 10 include the addition of short-term rental as a use listing in subdistricts where single-family residential dwellings are allowed and a new standard requiring the owner of a short-term rental to notify the Commission of the activity.

**PUBLIC HEARING** *(if any)*: *Not applicable*

**COMMENT DEADLINE:**

Written comments must be submitted on or prior to July 21, 2025;  
Written rebuttal comments must be submitted on or prior to August 4, 2025.

**CONTACT PERSON FOR THIS FILING**: Tim Carr, LUPC, DACF, 22 State House Station, 18 Elkins Lane, Augusta, ME 04333; 207-592-4129; [tim.carr@maine.gov](file:///C:\Users\J.Chris.Parr\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\OFH6SZ2M\tim.carr@maine.gov)

**CONTACT PERSON FOR SMALL BUSINESS IMPACT STATEMENT** *(if different)*: Same as identified above

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** *(if any)*: Not applicable. 12 M.R.S. § 685-A(7-A)(B)

**STATUTORY AUTHORITY FOR THIS RULE:** 12 M.R.S. §§ 685-A(3); 685-A(7-A); and 685-C(5)

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

**AGENCY WEBSITE:** <https://www.maine.gov/dacf/lupc/laws_rules/proposed_rules/rules.shtml>

**E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON:** [Timothy.Beaucage@maine.gov](mailto:Timothy.Beaucage@maine.gov)

**AGENCY: 01-672 Department of Agriculture, Conservation, and Forestry, Maine Land Use Planning Commission**

**CHAPTER NUMBER AND TITLE: Ch. 17, Reestablishment of Commission Jurisdiction**

**TYPE OF RULE: Routine Technical**

**PROPOSAL FILING NUMBER: 2025-P088**

**BRIEF SUMMARY:** At the annual Highland Plantation meeting on April 26, 2025, residents in attendance voted 11-6 to repeal the comprehensive plan and land use ordinance. Pursuant to 12 M.R.S. §685-A(4-A)(B), this rule needs to be updated to officially reestablish the Commission’s jurisdiction regarding land use planning and zoning authority within Highland Plantation.

**PUBLIC HEARING** *(if any)*: *NA; a hearing has not been scheduled*

**COMMENT DEADLINE:** Written comments must be submitted on or prior to July 7, 2025.

**CONTACT PERSON FOR THIS FILING:** Stacy Benjamin, 22 State House Station, Augusta, ME 04333-0022; 207-441-3761, [stacy.benjamin@maine.gov](mailto:stacie.r.beyer@maine.gov)

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

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

**STATUTORY AUTHORITY FOR THIS RULE:** 12 M.R.S. §685-A(4-A)(B) and §685-C(5)

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

**AGENCY WEBSITE:** [www.maine.gov/DACF/lupc/laws\_rules/proposed\_rules/rules.shtml](http://www.maine.gov/DACF/lupc/laws_rules/proposed_rules/rules.shtml)

E-**MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON:** [timothy.beaucage@maine.gov](mailto:timothy.beaucage@maine.gov)

**ADOPTIONS**

**AGENCY: 13-188 Department of Marine Resources**

**CHAPTER NUMBER AND TITLE: Ch. 36, Atlantic Herring (2025 Season 1 Open)**

**ADOPTION FILING NUMBER: 2025-124**

**CONCISE SUMMARY:**

The Days Out Commissioners have set zero landing days for June 1 through July 27, 2025, at 6:00 p.m. for Season 1 (Trimester 2; June 1 – September 30) of the Atlantic herring fishery. Beginning on Sunday, July 27, 2025, at 6:01 p.m., five landing days have been designated: Sundays at 6:00 p.m. through Fridays at 6:00 p.m. Weekly landing limit for Atlantic herring Category A permitted vessels is 240,000 pounds. Harvester vessels may not transfer herring at-sea to a carrier vessel. Carrier vessels may not receive herring from a harvester vessel while at-sea. The Commissioner has determined that it is necessary to take emergency action to comply with the changes to the interstate management of the Atlantic herring resource and to reduce the risk of an overage in the Area 1A sub-ACL that could deplete the supply of Atlantic herring. The Commissioner hereby adopts this emergency regulation as authorized by 12 M.R.S. §6171(3)(C).

**EFFECTIVE DATE: May 31, 2025 (EMERGENCY)**

**AGENCY CONTACT PERSON:** Melissa Smith

AGENCY NAME: Department of Marine Resources

ADDRESS: 21 State House Station

Augusta, Maine 04333-0021

WEB SITE:  <https://www.maine.gov/dmr/rules-enforcement>

E-MAIL: Melissa.Smith@maine.gov

TELEPHONE: (207) 441-5040

FAX: (207) 624-6024

TTY: (207) 633-9500 (Deaf/Hard of Hearing)

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

**CHAPTER NUMBER AND TITLE: Ch. 5, Co-Counsel Requirements**

**ADOPTION FILING NUMBER: 2025-125**

**CONCISE SUMMARY:**

This rule establishes a process for requesting Co-counsel, expectations of Co-counsel, parameters for payment of Co-counsel, and guidelines for the delegation of tasks in assigned cases.

**EFFECTIVE DATE**: **Tuesday, June 3, 2025**

**AGENCY CONTACT PERSON:** Jim Billings, Executive Director

AGENCY NAME: Maine Commission on Public Defense Services

ADDRESS: 154 State House Station, Augusta, ME 04333

TELEPHONE: 207-287-3254

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

**CHAPTER NUMBER AND TITLE:** **Ch. 258, Control of Notifiable Diseases and Conditions Rule**

**ADOPTION FILING NUMBER: 2025-126**

**CONCISE SUMMARY:**

The Department is adopting routine technical rule changes to its rule to control specific notifiable communicable, occupational, and environmental diseases and conditions, as authorized by Maine law (22 MRS chapter 250). Amendments to this rule include adding COVID-19, Enterococcus resistant diseases, Hard Tick Relapsing Fever, Hepatitis C (acute and chronic), Mpox virus infection, PFAS serum test results and removing Rabies post-exposure prophylaxis from the notifiable diseases list, which aligns with US CDC’s priorities for state surveillance. In addition, the Department clarifies definitions for “Child Care Facility” and “Commissioner”, adds a definition of “Occupational Disease”, updates national standard references, and clarifies language in Section 2 around what, when, and how to report notifiable diseases and conditions. This amended rule improves Maine’s ability to prepare for, investigate, and respond to cases, epidemics and occurrences of communicable, environmental, and occupational diseases and declare health emergencies in the event of an actual or threatened epidemic or public health threat.

Amendments to this rule remove the maximum cap that it may fine a laboratory per year and clarifies that each report submitted by a laboratory or reporting facility in a manner inconsistent with this rule is considered a separate civil violation, subject to fine imposition (22 MRS § 804). The Department now incorporates its recent authority to assess a fine of between $250 and $1,000 for each violation, in accordance with 22 MRS 804(2) and PL 2021, ch 349, § 8, for each day a person or entity fails to comply with an order to cease and desist, and repeated noncompliance may result in progressive enforcement action. Additionally, the Department has updated Section 6 to reflect recent law changes authorizing an Associate Local Health Officer to assist with the duties of the Local Health Officer during an actual or threatened epidemic or other public health threat. (P.L. 2023 c. 46.) Minor changes to address format are also included.

**EFFECTIVE DATE: Wednesday, June 4, 2025**

**AGENCY CONTACT PERSON:**

NAME: Bridget Danis, Policy Analyst

ADDRESS: 11 State House Station

Augusta, Maine 04330

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E-MAIL ADDRESS: [bridget.danis@maine.gov](mailto:bridget.danis@maine.gov)

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

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