**State of Maine: Notice of Agency Rulemaking – June 28, 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: **94-649 - Maine Commission on Indigent Legal Services (MCILS)**

CHAPTER NUMBER AND TITLE: **Ch. 301**, Fee Schedule and Administrative Procedures for Payment of Court or Commission Assigned Counsel

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2023-P134**

BRIEF SUMMARY: This proposed rule amendment would provide a graduated penalty structure for vouchers submitted after 90 days of the triggering date. The rule also updates the trigger amounts for presumptive review to be in line with the recent increase to the hourly rate paid to assigned counsel.

PUBLIC HEARING: July 17, 2023, 1:00 p.m. via Zoom and in Room 500, Burton Cross Building, Augusta.

COMMENT DEADLINE: July 27, 2023

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Jim Billings, Executive Director - MCILS, 154 State House Station, Augusta, ME 04333. Telephone: (207) 287-3254. Fax: (207) 287-3294. Email: Jim.Billings@Maine.gov.

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: No fiscal impact

STATUTORY AUTHORITY FOR THIS RULE: 4 MRS §§ 1804(2)(F), (3)(B), and (4)(D)

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

MCILS WEBSITE: [www.maine.gov/mcils](http://www.maine.gov/mcils).

MCILS RULEMAKING LIAISON: Eleanor.Maciag@Maine.gov.

AGENCY: **94-649 - Maine Commission on Indigent Legal Services (MCILS)**

CHAPTER NUMBER AND TITLE: **Ch. 301-A** *(New)*, Payment for Attending and Reimbursement of Expenses Incidental to Attending Trainings

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2021-P135**

BRIEF SUMMARY: This proposed rule establishes eligibility for payment to private court and/or Commission-Assigned Counsel for attending and reimbursement of expenses incidental to attending trainings. This proposed rule also sets forth administrative procedures for payment and reimbursement of eligible training expenses.

PUBLIC HEARING: July 17, 2023 - 1:00 p.m. via Zoom and in Room 500, Burton Cross Building, Augusta.

COMMENT DEADLINE: July 27, 2023

CONTACT PERSON FOR THIS FILING / SMALL BUSINESS IMPACT INFORMATION: Jim Billings, Executive Director - MCILS, 154 State House Station, Augusta, ME 04333. Telephone: (207) 287-3254. Fax: (207) 287-3294. Email: Jim.Billings@Maine.gov.

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: No fiscal impact

STATUTORY AUTHORITY FOR THIS RULE: 4 MRS §§ 1804(2)(F), (3)(B), and (4)(D)

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

MCILS WEBSITE: [www.maine.gov/mcils](http://www.maine.gov/mcils).

MCILS RULEMAKING LIAISON: Eleanor.Maciag@Maine.gov.

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

CHAPTER NUMBER AND TITLE: **Ch. 301**, Supplemental Nutrition Assistance Program (SNAP) Rules, Sections 111-7 and 999-1 (SNAP Rule #228 – FRA 2023)

PROPOSED RULE NUMBER: **2023-P136**

BRIEF SUMMARY: The purpose of this rule is to amend the Able-Bodied Adult Without Dependents (ABAWD) work requirements in Section 111-7 pursuant to the *Fiscal Responsibility Act (FRA) of 2023* and consistent with 7 USC 2015 (6)(o)(2)-(3). The proposed rules, consistent with the FRA, increases the age of those subject to ABAWD time limits to age 52 on September 1, 2023, age 54 on October 1, 2023, and to age 56 on October 1, 2024. The FRA adds new exemptions for ABAWD time limits for homeless individuals, veterans, and individuals aged 24 or younger and in Foster Care up to the point that they would not be considered age eligible for Foster Care by the state that made the placement. In addition, the proposed rule would add definitions for Foster Care and Veteran in Section 999-1.

See <http://www.maine.gov/dhhs/about/rulemaking> for rules and related rulemaking documents.

PUBLIC HEARING: Tuesday, July 18, 2023 at 1:00 p.m. in rooms Maine A and B at 109 Capitol St., Augusta, ME. *The Department requests that any interested party requiring special arrangements to attend the hearing contact the agency person listed below before Tuesday, July 11, 2023.*

COMMENT DEADLINE: Monday, July 31, 2023 at 5:00 p.m. Written public comments may be submitted via the link at <https://www.maine.gov/dhhs/about/rulemaking>.

CONTACT PERSON FOR THIS FILING: Patricia Dushuttle, Special Projects Manager – SNAP, Department of Health and Human Services - Office for Family Independence, 109 Capitol Street – 11 State House Station, Augusta, ME 04330-6841. Telephone: (207) 624-6907. Fax: (207) 287-3455. TT Users Call Maine Relay – 711. Email: Patricia.Dushuttle@Maine.gov.

FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES: None anticipated.

STATUTORY AUTHORITY FOR THIS RULE: 22 MRS §§ 42(1), 3104(13), 3104-A

OFI WEBSITE: [https://www.maine.gov/dhhs/ofi](https://www.maine.gov/dhhs/ofi/arules).

OFI RULEMAKING LIAISON: Dan.Cohen@Maine.gov.

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

DHHS RULEMAKING LIAISON: Emily.A.Cathcart@maine.gov.

**ADOPTIONS**

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

CHAPTER NUMBER AND TITLE: **Ch. 701** *(New)*, Establishment of Registration and Renewal Fees for Maine’s Check Casher/Currency Exchanger Registration and Requirement for Registration through the Nationwide Multi-State Registration System (NMLS)

ADOPTED RULE NUMBER: **2023-091**

CONCISE SUMMARY: This chapter makes the modifications necessary to transition registration of all check casher/currency exchangers 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 It sets application and renewal fees and application requirements for check casher/currency exchangers. The rule requires applicants for new registrations or renewal registrations to apply to NMLS for registration for years 2024 and beyond and requires check cashers/currency exchangers currently registered in Maine to transition to NMLS.

EFFECTIVE DATE: June 25, 2023

BUREAU CONTACT PERSON: Mark Susi, Bureau of Consumer Credit Protection, 35 State House Station, Augusta, ME 04333. Telephone: (207) 624-8527. Email: Mark.E.Susi@Maine.gov.

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

BUREAU RULEMAKING LIAISON: Kristine.M.Fournier@Maine.gov.

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

CHAPTER NUMBER AND TITLE: **Ch. 704** *(New)*, Establishment of License and Renewal Fees for Maine’s *Fair Credit Reporting Act* Licensing and Requirement for Licensing through the Nationwide Multistate Licensing System (NMLS)

ADOPTED RULE NUMBER: **2023-092**

CONCISE SUMMARY: This chapter makes the modifications necessary to transition registration of all consumer reporting agencies currently registered with 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 period effective from January 1 through December 31 of each year. It sets application fees, renewal fees, and application requirements for consumer reporting agencies. The chapter requires applicants for new registrations to apply to NMLS by November 1, 2023 and requires consumer reporting agencies currently registered in Maine to transition to the NMLS.

EFFECTIVE DATE: June 25, 2023

BUREAU CONTACT PERSON: Mark Susi, Bureau of Consumer Credit Protection, 35 State House Station, Augusta, ME 04333. Telephone: (207) 624-8527. Email: Mark.E.Susi@Maine.gov.

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

BUREAU RULEMAKING LIAISON: Kristine.M.Fournier@Maine.gov.

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

CHAPTER NUMBER AND TITLE: **Ch. 705** *(New),* Establishment of License and Renewal Fees and Application Requirements for Maine’s Debt Collector Licensing and Requirement for Licensing through the Nationwide Multistate Licensing System (NMLS)

ADOPTED RULE NUMBER: **2023-093**

CONCISE SUMMARY: This chapter makes the modifications necessary to transition licensing of all debt collectors currently licensed by the State of Maine to a multistate system administered by the Nationwide Multistate Licensing System (NMLS). This Chapter converts the two-year license for debt collectors to a one-year license and eliminates the current July 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 debt collectors. The rule extends current licenses scheduled to expire on July 31, 2023 through December 31, 2023 and permits applicants for new licenses to apply through NMLS as of the effective date of this rule.

EFFECTIVE DATE: June 25, 2023

BUREAU CONTACT PERSON: Mark Susi, Bureau of Consumer Credit Protection, 35 State House Station, Augusta, ME 04333. Telephone: (207) 624-8527. Email: Mark.E.Susi@Maine.gov.

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

BUREAU RULEMAKING LIAISON: Kristine.M.Fournier@Maine.gov.

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

CHAPTER NUMBER AND TITLE: **Ch. 708** *(New)*, Amendment of License and Renewal Fees for Maine’s Mortgage Loan Originator Licensing through the Nationwide Multistate Licensing System (NMLS)

ADOPTED RULE NUMBER: **2023-094**

CONCISE SUMMARY: This chapter sets licensing and renewal fees for all mortgage loan originators licensed by the State of Maine through the Nationwide Multistate Licensing System (NMLS).

EFFECTIVE DATE: June 25, 2023

BUREAU CONTACT PERSON: Mark Susi, Bureau of Consumer Credit Protection, 35 State House Station, Augusta, ME 04333. Telephone: (207) 624-8527. Email: Mark.E.Susi@Maine.gov.

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

BUREAU RULEMAKING LIAISON: Kristine.M.Fournier@Maine.gov.

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

CHAPTER NUMBER AND TITLE: **Ch. 709** *(New)*, Establishment of License and Renewal Fees and Application Requirements for Maine’s Money Transmitter Licensing and Requirement for Licensing through the Nationwide Multistate Licensing System (NMLS)

ADOPTED RULE NUMBER: **2023-095**

CONCISE SUMMARY: This chapter makes the modifications necessary to transition licensing of all money transmitters currently licensed by the State of Maine to a multistate system administered by the Nationwide Multistate Licensing System (NMLS). This chapter establishes an annual license effective from January 1 through December 31 of each year. It sets application and renewal fees and application requirements for money transmitters. As of its effective date, the chapter requires applicants for new licenses to apply through the NMLS and requires money transmitters currently licensed in Maine but not using NMLS to transition to NMLS.

EFFECTIVE DATE: June 25, 2023

BUREAU CONTACT PERSON: Mark Susi, Bureau of Consumer Credit Protection, 35 State House Station, Augusta, ME 04333. Telephone: (207) 624-8527. Email: Mark.E.Susi@Maine.gov.

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

BUREAU RULEMAKING LIAISON: Kristine.M.Fournier@Maine.gov.