**State of Maine: Notice of Agency Rulemaking – September 4, 2024 ONLINE**

**NOTICE OF STATE 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 Board**

**CHAPTER NUMBER AND TITLE:**

**Chapter 4 Licensee Records, Chapter 5 and Appendix A, Chapter 6 Ticket Redemption,**

**Chapter 10 Slot Machine Maintenance, Chapter 11 Transportation of Slot Machines and table Games, and Chapter 19 Slot Machine Testing.**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P145 to P150**

**BRIEF SUMMARY:** These rules implement the recent change in Maine law from requiring central site monitoring of slot machines to requiring facility-based monitoring. The changes to Chapter 19 also update the process of certification of slot machines to reflect the recent statutory change from the independent laboratory contracting with the Board to the Board approving independent laboratories to conduct the testing and certification of slot machines.

**PUBLIC HEARING** *(if any)*: None applicable

**COMMENT DEADLINE: October 5, 2024**

**CONTACT PERSON FOR THIS FILING**: Milton Champion, 45 Commerce Drive, Suite 3, Augusta ME 04333-0087 207-626-3901 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:** 8 M.R.S. § 1003(1)(B); and § 1003(2)(J-1), (K), (M)-(O), § 1004, and § 1020 (*as amended by* P.L. 2024 ch. 549 (eff. March 19, 2024)).

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

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

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** paul.f.cavanaugh@maine.gov

**AGENCY: 99-650 Combat Sports Authority of Maine**

**CHAPTER NUMBER AND TITLE: Rules for Kickboxing Competitions, Chapters 1 through 11**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P257 to -P267**

**BRIEF SUMMARY:** These routine technical rules set forth requirements for certification and regulation of competitors, promoters, and other participants in kickboxing competitions. The rules establish standards for all phases of a kickboxing events, including participants’ conduct during weigh-ins and fights; venue specification; refereeing; judging; promoters’ responsibilities; and qualifications for fighters, trainers, seconds, attending physicians, inspectors, and timekeepers. They include provisions specifically designed to protect fighters’ safety with medical examination, drug testing, and provisions designed to protect the safety of the attending public.

***DETAILED SUMMARY:***

*These rules provide comprehensive regulatory oversight for kickboxing competitions occurring in Maine, providing guidance to authorized participants as to permissible conduct. The Authority will enforce the rules through certification, i.e., the licensing process, maintenance of a presence at events, and its ability to sanction violation of its rules or statutes.*

*Chapter 1 sets forth generally requirements for authorized participants’ certifications, the location of and permissible activities at competitions, the conduct of events, and the powers of members of the Authority.*

*Chapter 2 identifies technical requirements for weighing in and competitions, including fighting areas’ specifications; equipment; combatants’ apparel and physical appearance; round durations; and the presence of judges, referees, physicians, emergency medical technicians, inspectors, and ambulances.*

*Chapter 3 sets forth the criteria for judging and refereeing kickboxing to ensure the make Authority rules are consistent with best practices.*

*Chapter 4 establishes the qualifications for and the duties of judges of kickboxing competitions.*

*Chapter 5 establishes the qualifications for and duties of referees of kickboxing competitions.*

*Chapter 6 establishes the qualifications for and duties of promoters of kickboxing competitions. Duties imposed include responsibility for attendance of officials; adequate police, medical, and security presence; venue safety; insurance coverage; financial disclosures; payment of certification and event fees; and arrangements for ensuring employment and payment of inspectors.*

*Chapter 7 establishes the qualifications for and duties of kickboxing competitors. It mandates pre-fight and post-fight medical examinations and authorizes drug testing by the Authority, with a failed drug test resulting in immediate disqualification and certificate suspension and possible imposition of a monetary penalty. Chapter 7 also outlines certain duties of the Authority regarding provision of interstate notice of disciplinary suspension of participants in kickboxing competitions.*

*Chapter 8 establishes qualifications for and duties of managers, trainers, seconds, cutpersons, scorekeepers, and cornerpersons. It contains a list of authorized/prohibited activities and equipment at competitions.*

*Chapter 9 establishes the qualifications for and duties of attending physicians at kickboxing competitions.*

*Chapter 10 establishes the requirements for and duties of inspectors at kickboxing.*

*Chapter 11 establishes the qualifications for and duties of timekeepers at kickboxing competitions.*

*Sources for the rules’ content include Authority members’ previous experience with combat sports, rules promulgated by organizations such as the Association of Boxing Commissions, and experienced kickboxing officials consulted. The public can obtain a copy of the proposed rules by contacting the Authority:*

* *By mail addressed to:*

*Christopher Guild, Chairperson Combat Sports Authority of Maine*

*P.O. Box 10525*

*Westbrook, ME 04104*

* + *By telephone at (207) 800-7374*
* *By electronic mail addressed to* *combatsportsmaine@yahoo.com*

**PUBLIC HEARING** *(if any)*: September 23, 2024 at 3:00 P.M. in the Pine Room at the Westbrook Community Center, 426 Bridge Street, Westbrook, Maine 04092.

**COMMENT DEADLINE:** October 9, 2024

**CONTACT PERSON FOR THIS FILING:**

Christopher Guild, Chairperson Combat Sports Authority of Maine

P.O. Box 10525

Westbrook, ME 04104

Telephone: (207) 800-7374

Email: combatsportsmaine@yahoo.com

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

Christoper Guild, Chairperson

Combat Sports Authority of Maine

P.O. Box 10525

Portland, ME 04104

Phone: 207-800-7374

Email: combatsportsmaine@yahoo.com

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** *(if any)*: None directly. Municipalities in which events are held presumably benefit indirectly from monies spent by participants and fans as the natural consequence of an event’s occurrence. For example, parking fees, hotel and restaurant accommodations, items that may be sold by vendors at an event.

**STATUTORY AUTHORITY FOR THIS RULE:** 8 M.R.S. § 523

**SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED** *(if different)*: 8 M.R.S. Chapter 20

**AGENCY WEBSITE:** <https://www.mainecombatsports.com>

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** combatsportsmaine@yahoo.com

**AGENCY: 99-650 Maine Combat Sports Authority**

**CHAPTER NUMBER AND TITLE: Fees for Kickboxing Contests and Authorized Participants, Chapter 12**

**TYPE OF RULE: Major Substantive**

**PROPOSED RULE NUMBER: 2024-P268**

**BRIEF SUMMARY:** This rulemaking establishes Chapter 12 of the Authority’s Rules for kickboxing, which sets fees charged for certification of official event participants. The fees are used to finance in part activities regulated by Chapters 1 through 11 establishing comprehensive regulation of the sport. Fees established by the rule are:

1. Event Fee $100 per reserved event
2. Promoter $30
3. Matchmaker $30
4. Judge $30
5. Kickboxer $30
6. Referee, Manager, Second, Trainer, Cutperson, Cornerperson $30
7. Physician $30
8. Timekeeper/Scorekeeper $30
9. Inspectors $00

Certifications issued for categories 2 through 9 are good from the time of being granted to the next thirtieth day of June.

**PUBLIC HEARING** *(if any)*: September 23, 2024 at 3:00 P.M. in the Pine Room at the Westbrook Community Center, 426 Bridge Street, Westbrook, Maine 04092.

**COMMENT DEADLINE:** October 9, 2024

**CONTACT PERSON FOR THIS FILING:**

Christoper Guild, Chairperson

Combat Sports Authority of Maine

P.O. Box 10525

Portland, ME 04104

Phone: 207-800-7374

Email: combatsportsmaine@yahoo.com

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

Christoper Guild, Chairperson

Combat Sports Authority of Maine

P.O. Box 10525

Portland, ME 04104

Phone: 207-800-7374

Email: combatsportsmaine@yahoo.com

**FINANCIAL IMPACT ON MUNICIPALITIES OR COUNTIES** *(if any)*: None directly. Municipalities in which events are held presumably benefit indirectly from monies spent by participants and fans as the natural consequence of an event’s occurrence. For example, parking fees, hotel and restaurant accommodations, items that may be sold by vendors at an event.

**STATUTORY AUTHORITY FOR THIS RULE:** 8 M.R.S. § 523

**SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED** *(if different)*: 8 M.R.S. Chapter 20

**AGENCY WEBSITE:** <https://www.mainecombatsports.com>

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** combatsportsmaine@yahoo.com

**AGENCY: 15-215 Department of Defense, Veterans and Emergency Management – Maine Bureau of Veterans’ Services**

**CHAPTER NUMBER AND TITLE: Ch. 4 (New), Expanded Burial Eligibility in the Maine Veterans’ Memorial Cemetery System**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P269**

**BRIEF SUMMARY:** This rule governs expanded burial eligibility in the Maine Veterans Memorial Cemetery, pursuant to 37-B M.R.S. § 504(B-1)(4)(2024).

**PUBLIC HEARING *(if any)*:** N/A

**COMMENT DEADLINE:** N/A

**CONTACT PERSON FOR THIS FILING:**

Steven Lanning, Deputy Director

117 State House Station, Augusta, Maine 04333

Phone: 207-287-7020

Fax: 207-626-4471

steven.d.lanning@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:** 37-B M.R.S. § 504(4) (B-1) (2024), enacted by P.L. 2021, ch. 593, “An Act Regarding Eligibility for the Maine Veterans’ Memorial Cemetery”; and Burial Equity for Guards and Reserve Act (within the Consolidated Appropriations Act, 2022), Pub. L. No. 117-103, 136 Stat. 49, 1109-10, Div. CC, § 102.

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

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

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** steven.d.lanning@maine.gov

**AGENCY:** 18-553 Bureau of Alcoholic Beverages and Lottery Operations, Maine State Liquor and Lottery Commission

**CHAPTER NUMBER AND TITLE:** Chapter 20, Powerball Rules

**TYPE OF RULE:** Routine Technical

**PROPOSED RULE NUMBER:** 2024-P270

**CONTACT PERSON FOR THIS FILING:**

Michael Boardman, Deputy Director

Bureau of Alcoholic Beverages and Lottery Operations

8 State House Station, Augusta, ME 04333-0008

Office: (207) 287-4614, Fax: (207) 287-6769

michael.boardman@maine.gov

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

**PUBLIC HEARING** (if any): No Public Hearing

**COMMENT DEADLINE:** October 4, 2024

**BRIEF \*SUMMARY:** This amendment updates the existing rules governing the rules of Powerball. This amendment makes necessary changes to allow an option called Double Play to the existing Powerball game. In addition, this includes technical changes to clarify language, and fix typographical errors.

Copies of the rule are available by contacting the Maine Bureau of Alcoholic Beverages and Lottery Operations, 8 State House Station, Augusta, Maine 04333-0008.

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

**IDENTIFICATION OF PRIMARY SOURCE OF INFORMATION:**  Lottery Staff Professional Judgment

**STATUTORY AUTHORITY FOR THIS RULE:**  8 MRSA §374 and 8 MRSA §372, sub-§2, ¶I

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

**EMAIL FOR OVERALL AGENCY RULE-MAKING LIAISON:** anya.trundy@maine.gov

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

**CHAPTER NUMBER AND TITLE:** Chapter 11 Scallops; 2024-2025 Season

**TYPE OF RULE:** Routine Technical

**PROPOSED RULE NUMBER:** 2024-P272

**BRIEF SUMMARY:** This proposed rule-making establishes the 2024-2025 scallop fishing season for Zones 1, 2, and 3. A 60 day season is proposed for Zone 1, a 70 day season is proposed for Zone 2, and a 50 day season is proposed for Zone 3. Daily possession limits of 15 gallons for Zone 1 and Zone 2, and 10 gallons for Zone 3 remain unchanged. Limited Access Areas for 2024-2025 are identified in the proposed rule. Harvesting of scallops by hand (diving) is restricted to Rotation B (Second) only for the 2024-2025 season. Harvesting for scallops by dredge gear is restricted to Rotation C (Third) only for the 2023-2024 season. Rotation A is closed to all harvest.

**PUBLIC HEARING** *(if any)*: September 23, 2024 at 5:00 p.m. – DMR Conference Room 118, Marquardt Building, 32 Blossom lane, Augusta ME and remotely via Microsoft Teams. Remote access information is posted to <https://www.maine.gov/dmr/home> under meetings.

**COMMENT DEADLINE:** October 4, 2024

**CONTACT PERSON FOR THIS FILING:**

NAME: Deirdre Gilbert

MAILING ADDRESS: 21 State House Station, Augusta, Maine 04333-0021

E-MAIL: dmr.rulemaking@maine.gov

TELEPHONE: 207-624-6553

FAX: 207-624-6024

TTY: 207-624-6500 (Deaf/Hard of Hearing)

Hearing facilities: If you require accommodations due to disability, please contact Meredith Mendelson at 207-624-6553.

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

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

**STATUTORY AUTHORITY FOR THIS RULE:** §6171

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

**AGENCY WEBSITE:** <https://www.maine.gov/dmr/rules-enforcement/regulations-rules>

**E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON:** dmr.rulemaking@maine.gov

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

**CHAPTER NUMBER AND TITLE: Chapter 2 Aquaculture Lease Regulations**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P273**

**BRIEF SUMMARY:** 12 M.R.S.A. §6072-C(2-B) allows a Limited Purpose Aquaculture (LPA) license holder to request certain exceptions to the requirement that the license holder provide direct supervision of unlicensed individuals assisting the LPA holder in the licensed activities at the license holder’s LPA site. Some of the exceptions are specific to the LPA holder having an ownership interest in an entity that holds or has applied for an experimental or standard lease. For purposes of implementing the ownership interest exception, the proposed regulation clarifies that the LPA holder needs to have a 50% or greater ownership interest in the entity, including as a shareholder in a company, that holds or has applied for an experimental and standard lease. As a matter of clarity, the proposal also changes the name of Chapter 2 regulations from “Aquaculture Lease Regulations” to “Aquaculture Regulations.” Finally, the proposed regulation clarifies the application of the definition of “riparian owner”, consistent with statute.

**PUBLIC HEARING** *(if any)*: September 25, 2024 at 5:00 p.m. – DMR Conference Room 118, Marquardt Building, 32 Blossom lane, Augusta ME and remotely via Microsoft Teams. Remote access information is posted to <https://www.maine.gov/dmr/home> under meetings.

**COMMENT DEADLINE:** October 7, 2024

**CONTACT PERSON FOR THIS FILING:**

NAME: Deirdre Gilbert

MAILING ADDRESS: 21 State House Station, Augusta, Maine 04333-0021

E-MAIL: dmr.rulemaking@maine.gov

TELEPHONE: 207-624-6553

FAX: 207-624-6024

TTY: 207-624-6500 (Deaf/Hard of Hearing)

Hearing facilities: If you require accommodations due to disability, please contact 207-624-6553.

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

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

**STATUTORY AUTHORITY FOR THIS RULE:** 12 MRSA §§ 6072, 6072-A, 6072-B, 6072-C

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

**AGENCY WEBSITE:** http://www.maine.gov/dmr/rulemaking/

**E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON:** dmr.rulemaking@maine.gov

**ADOPTIONS**

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

**CHAPTER NUMBER AND TITLE: 10-144 C.M.R. Chapter 331; Public Assistance Manual**

**Temporary Assistance for Needy Families (TANF) – Maximum Benefit and Standard of Need Chart TANF Rule #121P – P.L. 2024, Ch. 622**

**TYPE OF RULE: Routine Technical**

**ADOPTED RULE NUMBER: 2024-208**

**CONCISE SUMMARY:**

The adopted rule updates the Public Assistance Manual Temporary Assistance for Needy Families (TANF) consistent with legislative changes made to 22 M.R.S. § 3769-C made by P.L. 2024, Ch. 622, *An Act to Reduce the Number of Children Living in Deep Poverty by Adjusting Assistance for Low-income Families.*

The adopted rule effectuates the Maximum Benefit and Standard of Need Chart by increasing the maximum amount of monthly TANF assistance by an amount equal to 20% of the maximum payments that were in effect on January 1, 2024. In addition, 22 M.R.S. § 3769-C(1)(D) requires that the Department increase Appendix Chart, page 3, Standard of Need and Maximum Grant, each October based on the Cost-of-Living Increase used by the Social Security Administration for that year.

The adopted rule updates are effective October 1, 2024 as required by statute.

**See** [**https://www.maine.gov/dhhs/about/rulemaking**](https://www.maine.gov/dhhs/about/rulemaking) **for rules and related rulemaking documents.**

**EFFECTIVE DATE: Sunday, September 1, 2024**

**AGENCY CONTACT PERSON:**

Alexandria Lauritzen, TANF Program Manager

Office for Family Independence

Department of Health & Human Services

109 Capitol Street

Augusta, ME 04333

Phone: (207)624-4109/ Fax: (207)287-3455

TT Users Call Maine Relay – 711

**Alexandria.Lauritzen@maine.gov**

**STATUTORY AUTHORITY FOR THIS RULE:** 22 M.R.S. §§ 42(1); 3769-C

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

**CHAPTER NUMBER AND TITLE: 10-144 C.M.R. Chapter 301; Supplemental Nutrition Assistance Program (SNAP) Rules; Section 777-3 – Claims and Collections**

**SNAP Rule #225A – Overpayments during the PHE**

**ADOPTED RULE NUMBER: 2024-209**

**CONCISE SUMMARY:**

The adopted rule effectuates halting the collection of SNAP overpayments that resulted from errors originating from March 1, 2020 through May 11, 2023, the end of the Federal Public Health Emergency related to COVID-19 (the PHE), unless they were the result of an Intentional Program Violation (IPV) on the part of the household. The adopted rule change allows the Office for Family Independence (OFI) Overpayment Unit and Eligibility Staff to operate more effectively and efficiently.

This rule applies to collection activities retroactive to April 1, 2022 on going. Retroactive rulemaking is permissable under 22 M.R.S. § 42(8) as these changes afford this benefit to more residents of the State of Maine and do not adversely impact applicants, participants, beneficiaries, or providers.

Additional changes are part of an ongoing effort to modernize the chapter and improve its readability. This section has been reorganized to better match the flow of the process of determining, collecting and closing overpayments. Wording has been updated to provide a universal description of rights and requirements rather than instructions for Department staff. “Food Supplement” and related abbreviations have been updated to “Supplemental Nutrition Assistance Program” or “SNAP”. Redundancies have been removed.

**See** [**https://www.maine.gov/dhhs/about/rulemaking**](https://www.maine.gov/dhhs/about/rulemaking) **for rules and related rulemaking documents.**

**EFFECTIVE DATE: Sunday, September 1, 2024**

**AGENCY CONTACT PERSON:**

Michael Downs, Senior Program Manager - SNAP

Office for Family Independence

Department of Health and Human Services

109 Capitol Street

Augusta, ME 04333

Phone: (207)624-4135/ Fax: (207)287-3455

TT Users Call Maine Relay – 711

Michael.E.Downs@maine.gov

**AGENCY: 01-015 Maine Milk Commission, Agriculture, Conservation and Forestry**

**CHAPTER NUMBER AND TITLE: Chapter 3-Schedule of Minimum Prices Order#09-24**

**ADOPTED RULE NUMBER: 2024-210**

**CONCISE SUMMARY:**

Minimum September 2024 Class I price is $24.85/cwt. plus $1.63/cwt. for Producer Margins, an over-order premium of $1.04/cwt as being prevailing in Southern New England and $0.47/cwt. handling fee for a total of $28.19/cwt. that includes a $0.20/cwt Federal promotion fee.

**EFFECTIVE DATE: Sunday, September 1, 2024**

**AGENCY CONTACT PERSON: Julie-Marie R. Bickford**

AGENCY NAME: Maine Milk Commission, DACF

ADDRESS: 28 SHS, Augusta, ME 04333

TELEPHONE: 207-287-7521