**State of Maine: Notice of Agency Rulemaking: Wednesday, October 2, 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: 03-201 Maine Department of Corrections**

**CHAPTER NUMBER AND TITLE: Ch. 1, Detention and Correctional Standards for Maine Counties and Municipalities**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P285**

**BRIEF SUMMARY:** This rule is proposed to be amended to clarify and update several of its provisions.

Copies of the proposed rule are available upon request by contacting the Department contact person identified below or on the Department of Corrections website at <https://www.maine.gov/corrections/policies>. Pursuant to Maine law, interested parties are publicly notified of the proposed rulemaking and are provided an opportunity for comment.

**DETAILED SUMMARY:** The following are the proposed amendments to the current rule:

Standard C.12. is proposed to be amended to clarify that a count requires the observation of living breathing flesh and that staff performing a count must immediately notify their supervisor if they do not observe that or if an inmate is missing.

Standard D.3. is proposed to be amended to add that staff supervising inmates must notify their supervisor and take immediate action to protect an inmate’s safety if the inmate is not responsive.

Standards J.2. and J.4. are proposed to be amended to allow a jail to contract with a third party vendor to process and deliver incoming mail, other than legal mail, when there are safety concerns related to the introduction of contraband by incoming mail and to allow extra time for the delivery of incoming mail, other than legal mail.

Standard K.16 is proposed to be amended to require that a jail which is proposing to transfer an inmate to another detention or correctional facility or to a state psychiatric facility, or which has transferred an inmate, provide to the receiving facility a summary of treatment and care that has been provided in the jail, including any court paperwork related to treatment, and to require that additional information be provided upon request.

Standard K.19 is proposed to be amended to require that reports of inmate participation in medication-assisted treatment be submitted to the Department of Corrections on a quarterly basis using the reporting form required by the Department.

Standard P.9 is proposed to be amended and Standard P. 31 is proposed to be added to require that a jail not exceed its rated capacity, require that certain steps be taken if a jail does exceed its rated capacity, and prohibit a jail from refusing to accept an arrested individual except as set out in Standard E.2. (which relates to a person who is unconscious or shows sign of or complains of other serious injury or wounds).

**PUBLIC HEARING** *(if any)*: October 24, 2024, 1:00 p.m. to 3:00 p.m. This hearing will be conducted via a Microsoft Teams virtual meeting. Anyone wishing to attend should join the Microsoft Teams meeting accessible at this link: [https://teams.microsoft.com/l/meetup-join/19%3ameeting\_ZjhmYTBjN2YtMGVhOC00MGMwLTgzNzQtN2YxZmMzNTZjZDkx%40thread.v2/0?context=%7b%22Tid%22%3a%22413fa8ab-207d-4b62-9bcd-ea1a8f2f864e%22%2c%22Oid%22%3a%2242c132ed-0ac6-4d91-b911-cee298c26912%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YmU5Y2VhM2QtYzdiYS00NTIwLWIxZDktMDI0MzU3NjZhODNk%40thread.v2/0?context=%7b%22Tid%22%3a%22413fa8ab-207d-4b62-9bcd-ea1a8f2f864e%22%2c%22Oid%22%3a%2242c132ed-0ac6-4d91-b911-cee298c26912%22%7d)

In addition, directions on how to attend the hearing will be posted on the Department of Corrections website and sent upon request to interested persons.

The Department requests that any interested party requiring special arrangements to attend the hearing contact the agency person listed below before October 17, 2024.

**COMMENT DEADLINE:**  November 4, 2024

Written comments may be submitted by mail, e-mail, or fax to the contact person before the end of the comment period or by submitting a comment on the above website. To ensure the comments are considered, they must include the name of the commenter and the organization represented, if any.

**CONTACT PERSON FOR THIS FILING:**

Mary Lucia

Department of Correction

111 SHS

Augusta ME 04333

Phone: (207) 530-0983

Fax: (207) 287-4370

[mary.a.lucia@maine.gov](mailto: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, sections 1208 & 1208-B

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

**AGENCY WEBSITE:** https://www.maine.gov/corrections/

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** [mary.a.lucia@maine.gov](mailto:mary.a.lucia@maine.gov)

**AGENCY: 05-071 Department of Education**

**CHAPTER NUMBER AND TITLE: Chapter 132: Learning Results: Parameters for Essential Instruction**

**TYPE OF RULE: Major Substantive**

**PROPOSED RULE NUMBER: 2024-P286**

**BRIEF SUMMARY:** During the Second Regular Session of the Maine Legislature, the Education and Cultural Affairs Committee declined to authorize the proposed social studies content standards of the Maine Learning Results. The Education and Cultural Affairs committee directed the Department to reengage in the rulemaking process for the social studies standards. To this end, the Department reopened the steering committee and writing team conversations for the social studies standards. On May 3, the Maine Department of Education convened the Steering Committee to begin the revision process for the state’s social studies standards. This committee was composed of various stakeholders from across Maine, including classroom teachers, district administrators, university faculty, and representatives from the Wabanaki nations. Given that the Education and Cultural Affairs Committee did not provide substantive feedback on the 2023 revision when asking the Department to restart the social studies standards review process, the 2024 Steering Committee determined that, because they did not know what specific issues members of the Committee on Education and Cultural Affairs wanted amended, they decided to support resubmitting the proposed 2023 Social Studies revised standards in the 132nd legislative session.

**PUBLIC HEARING** *(if any)*: October 21, 2024, from 9:00 am – 12:00 pm at the Burton Cross Office Building, located at 111 Sewall Street, Augusta, Maine 04333, Room

**COMMENT DEADLINE:** October 31, 2024, 5 pm

**CONTACT PERSON FOR THIS FILING:** Laura Cyr; State House Station #23, Augusta, ME 04333; 207-446-8791; [Laura.cyr@maine.gov](mailto:Laura.cyr@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:** Title 20-A, Sec. 6211

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

**AGENCY WEBSITE:** https://www.maine.gov/doe/about/laws/rulechanges

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** laura.cyr@maine.gov

**ADOPTIONS**

There are no rulemaking adoption notices this week.