**State of Maine: Notice of Agency Rulemaking – October 11, 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: **12-597** **-** Department of Labor, **Bureau of Employment Services**

CHAPTER NUMBER AND TITLE: **Ch. 2,** Rule Governing the Competitive Skills Scholarship Program

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2023-P214**

BRIEF SUMMARY: This rulemaking is to repeal and replace a rule pertaining to the Competitive Skills Scholarship Program.

PUBLIC HEARING: Friday, November 3, 2023, 2:00pm – 3:30pm, at the Maine Department of Labor, Frances Perkins Conference Room, 45 Commerce Dr., Augusta, ME 04330.

COMMENT DEADLINE: November 17, 2023

CONTACT PERSON FOR THIS FILING/SMALL BUSINESS IMPACT INFORMATION: Isaac H. Gingras, Department of Labor, 54 State House Station, Augusta, Maine 04333-0054; Telephone: 207-626-6232; Email: [Isaac.H.Gingras@maine.gov](mailto:Isaac.H.Gingras@maine.gov)

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

STATUTORY AUTHORITY FOR THIS RULE: 26 MRS §2033

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

AGENCY WEBSITE: [**https://www.maine.gov/labor/proposedrulemaking/**](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.maine.gov%2Flabor%2Fproposedrulemaking%2F&data=04%7C01%7CJohn.L.Rioux%40Maine.gov%7Cc587b0cc66dd4c6882e008d9d5223572%7C413fa8ab207d4b629bcdea1a8f2f864e%7C0%7C0%7C637775165159189394%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000&sdata=SYytkCFa4Pf0uDFJnsVO10csMwXP0vi8xnIy7K1krFQ%3D&reserved=0)

E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON: [Isaac.H.Gingras@maine.gov](mailto:Isaac.H.Gingras@maine.gov)

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

CHAPTER NUMBER AND TITLE: **Ch. 132,** Learning Results: Parameters for Essential Instruction

TYPE OF RULE: Major Substantive

PROPOSED RULE NUMBER: **2023-P215**

BRIEF SUMMARY: This rule revision is part of a periodic review of the Maine Learning Results as required under 6209, subsection 4. The science and social studies standards were last reviewed and revised in 2018.

As part of the scheduled periodic review of the Maine Learning Results, the Maine Department of Education is seeking public comments regarding the proposed revisions to the social studies standards and the science standard in Rule Chapter 132. These comments will inform the continued work of the standards revision teams and are an integral part of the rulemaking process.

The rulemaking process began in the summer of 2023 with the science and social studies standards steering committees, which are composed of content area experts who represent the cultural diversity found in Maine and a range of viewpoints as to the content of the standards. These groups met and reviewed all the comments submitted and developed a blueprint for the revision of the state science and social studies standards. Following that process, groups of writing teams, representing prek-12 teachers, met and revised the current standards.

The revisions focus on elements outlined in the Science and Social Studies content areas. No other aspects of the Learning Results were modified in any way.

This process was completed according to Title 5, Section 8051-B regarding consensus-based rule development process.

ADDITIONAL DETAILED SUMMARY FOR WEB PUBLICATION:To align with §4706, Instruction in American history, African American studies, Maine studies, Maine Native American history and the history of genocide, the revision of both Science, Technology, and Engineering, and Social Studies focused on including Wabanaki studies, the history of Genocide, including the Holocaust, and African American studies into the standards. Leaders from the Holocaust and Human Rights Center, the Maine African American community, and the Wabanaki tribes supported the educators in this work.

Though the proposed Science, Technology, and Engineering standards continue to be adapted from the Next Generation Science Standards, the following revisions were incorporated: 1) The standards were expanded from a topic (Matter and Its Interactions) to a sentence that describes what a student knows and is able to do (Students will be able to demonstrate an understanding of the structure, properties, and interactions of matter). 2) The introduction has been revised to include connecting science as a human endeavor to the fact that, in many cases, science has been used to benefit humanity (vaccines, space exploration, green energy advancements, technological innovations and engineering marvels) but that there are also notable cases in which science has been used by those with power to oppress and abuse other people (e.g. eugenics movement / pseudo-science; Tuskegee experiment, etc.). And 3) The connection between the Cross Cutting Concepts of the Next Generation Science Standards and Conceptual Understandings is made explicit.

The proposed Social Studies standards revision includes the following: 1) The Personal Finance and Economics strand has been updated to align with the JumpStart national standards. 2) Higher order thinking has been included throughout the performance expectations. 3) The Civics and Government stand has been built out to include civil discourse and align with the C3 civics band. 4) A glossary has been created to define key terms used throughout the standards. And 5) There is a new standard in the History strand that examines the complex history of Maine and its people including the Wabanaki, Maine African Americans, as well as other marginalized groups, and genocides that have occurred in Maine.

PUBLIC HEARING: October 30, 2023, from 3:00 pm to 5:00 pm at the Burton Cross Office Building, located at 111 Sewall Street, Augusta, Maine 04333, Room 600 (corrected room number – virtual option also available)

COMMENT DEADLINE: November 14, 2023, 5 pm

CONTACT PERSON FOR THIS FILING/SMALL BUSINESS IMPACT INFORMATION: Laura Cyr, State House Station #23, Augusta, ME 04333; Telephone: 207-446-8791; Email: [Laura.Cyr@maine.gov](mailto:Laura.Cyr@maine.gov)

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

STATUTORY AUTHORITY FOR THIS RULE: Title 20-A, § 6211

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

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

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON: Laura.Cyr@maine.gov

AGENCY: **10-148** - Maine Department of Health and Human Services, **Office of Child and Family Services**

CHAPTER NUMBER AND TITLE: **Ch. 30,** Early Childhood Educator Workforce Salary Supplement System Rules

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2023-P216**

BRIEF SUMMARY: The proposed rule establishes the Early Childhood Educator Workforce Salary Supplement System, a new government initiative enacted with the passage of An Act To Build a Child Care System by Recruiting and Retaining Maine's Early Childhood Educators Workforce, codified at 22 M.R.S. § 3737-A. The Early Childhood Educator Workforce Salary Supplement System is funded and administered by Maine’s Department of Health and Human Services, Office of Child and Family Services (Department). The purpose of the Early Childhood Educator Workforce Salary Supplement System is to develop and implement a system to provide salary supplements to child care providers and early childhood educators who provide direct services to children in a child care facility licensed under 22 M.R.S. § 8301-A (2) or a family child care provider licensed under 22 M.R.S. § 8301-A(3). Any salary supplement funding provided by the department under this section to a child care facility or family child care provider must be paid by that child care facility or family child care provider to appropriate facility or provider employees in order to increase salaries for any early childhood educator who provides direct care services to children. The proposed rule further establishes and implements a three-tiered system for salary supplements based on an early childhood educator’s levels in Maine’s Professional Development Registry. The 2nd tier provides a salary supplement that is at least 50% greater than the first tier, and the 3rd tier provides a salary supplement that is at least 50% greater than the 2nd tier. 22 M.R.S. § 3737-A directs the Department to implement a tiered system for salary supplements beginning July 1, 2023. Funding will be available to the Department October 25, 2023. The Department will pay out the difference between the base payments already made and the additional salary supplement for educators at Tier 2 and Tier 3 under the proposed rule retroactively when funding becomes available.

PUBLIC HEARING: October 30, 2023 at 1:00PM

Zoom Meeting

<https://mainestate.zoom.us/j/81836136817?pwd=cEo2M29GOEdvb0cxblFya2FKMW52UT09>

Meeting ID: 818 3613 6817

Passcode: 09323733

One tap mobile

+16469313860,,81836136817# US

COMMENT DEADLINE: November 9, 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) - Maine Relay 711

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

STATUTORY AUTHORITY FOR THIS RULE: 22 M.R.S.§§ 42, 3737-A

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

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

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON: [Emily.A.Cathcart@Maine.gov](mailto:Emily.A.Cathcart@Maine.gov)

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

CHAPTER NUMBER AND TITLE: **Ch. 67,** Involuntary Placement of Persons on the Unauthorized Persons List

TYPE OF RULE: Routine Technical

PROPOSED RULE NUMBER: **2023-P217**

BRIEF SUMMARY: This rule is to establish rules required under 8 M.R.S. §1203(2)(K) to create standards for involuntary placement on the unauthorized list and for removal from the list and adding requirements for geolocation providers to furnish the Director with a real time dashboard and data feed.

PUBLIC HEARING: None applicable

COMMENT DEADLINE: November 10, 2023

CONTACT PERSON FOR THIS FILING/SMALL BUSINESS IMPACT INFORMATION: 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 *(if any)*: N/A

STATUTORY AUTHORITY FOR THIS RULE: 8 M.R.S.A. §1203(2.)

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/index.html)

EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON: [Paul.F.Cavanaugh@maine.gov](mailto:Paul.F.Cavanaugh@maine.gov)

**ADOPTIONS**

None this week