**State of Maine: Notice of Agency Rulemaking: Wednesday, December 18, 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: 10-144 Department of Health and Human Services - Maine Center for Disease Control and Prevention**

**CHAPTER NUMBER AND TITLE: 10-144 CMR ch. 707; Rules Relating to the National Breast and Cervical Cancer Early Detection Program (****NBCCEDP) in Maine**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P325**

**BRIEF SUMMARY:** The Department is proposing to amend 10-144 CMR Chapter 707, Rules Relating to the National Breast and Cervical Cancer Early Detection Program (NBCCEDP) in Maine, to expand the age eligibility for the Maine CDC Breast and Cervical Health Program (MBCHP) to also include participants who are 21 to 34 years old. The Department is proposing changes to the order of prioritizing program expenditures that incorporate the additional age group in the event of financial exigency. The Department is also proposing to add *human papillomavirus* (HPV) testingas another service in rule that MBCHP will cover when determined medically necessary and provided by a participating MBCHP Provider. The Department is proposing to remove outdated, duplicative or otherwise dispensable language throughout the rule, including provisions described in Department standard operating procedures and qualifiers addressed by the federal authority referenced in the proposed rule and used by MBCHP. Additionally, the Department is proposing changes to update the rule structure, including a revised title, and format to conform to agency standards.

**PUBLIC HEARING** *(if any)*: Not scheduled. A public hearing may be requested by contacting the person identified for this filing. (5 MRS Sec. 8053(3)(B).)

**COMMENT DEADLINE:** Friday, January 17, 2025

**CONTACT PERSON FOR THIS FILING**: Bridget Danis; 11 State House Station – 286 Water Street, Augusta, ME, 04333-0011; Tel: 287-9394 or 711 (TTY); Fax: 287-2887; [bridget.danis@maine.gov](mailto:bridget.danis@maine.gov)

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

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

**STATUTORY AUTHORITY FOR THIS RULE:** U.S. Breast and Cervical Cancer Prevention and Treatment Act of 2000 - Public Law 106 -354; MaineCare Treatment Act; P.L. 1993, ch. 707, Part A, Section A-2

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

**DEPARTMENT RULEMAKING WEBSITE:** /<https://www.maine.gov/dhhs/about/rulemaking>

**E-MAIL FOR OVERALL AGENCY RULE-MAKING LIAISON:** [Emily.A.Cathcart@Maine.gov](mailto:Emily.A.Cathcart@Maine.gov)

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

**CHAPTER NUMBER AND TITLE:** **10-144 CMR Ch. 708; Rules Relating to the Breast and Cervical Cancer Prevention and Treatment Act (BCCPTA) in Maine**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P326**

**BRIEF SUMMARY:** The Department is proposing to amend 10-144 CMR Chapter 708 concurrently with the rulemaking proposal to amend the related rule Chapter 707 to expand the age eligibility for the Maine Center for Disease Control and Prevention - Breast and Cervical Health Program (MBCHP) to qualifying participants who are 21 to 34 years old. The Department is proposing non-substantive changes to the rule format, including a revised title, and language for conformity with agency standards.

**PUBLIC HEARING** *(if any)*: Not scheduled. A public hearing may be requested by contacting the person identified below for this filing. (5 MRS Sec. 8053(3)(B).)

**COMMENT DEADLINE:** Friday, January 17, 2025

**CONTACT PERSON FOR THIS FILING:** Bridget Danis, Policy Analyst; 11 SHS, 286 Water St., Augusta, ME 04333; Tele: 207-287-9394; Bridget.Danis@maine.gov

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

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

**STATUTORY AUTHORITY FOR THIS RULE:** PL 2001, c. 439, PART TT; 22 MRS Sec. 42

**SUBSTANTIVE STATE OR FEDERAL LAW BEING IMPLEMENTED** *(if different)*: Breast and Cervical Cancer Prevention and Treatment Act (BCCPTA) (Public Law 106-354).

**AGENCY WEBSITE:** <https://www.maine.gov/dhhs/about/rulemaking>

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

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

**CHAPTER NUMBER AND TITLE: Chapter 711,** **ESTABLISHMENT OF LICENSE AND RENEWAL FEES AND APPLICATION REQUIREMENTS FOR MAINE’S SUPERVISED LENDERS AND REQUIREMENT FOR LICENSING OF ALL SUPERVISED LENDERS THROUGH THE NATIONWIDE MULTISTATE LICENSING SYSTEM (NMLS)**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P327**

**BRIEF SUMMARY:** This rule amends Chapter 711 pertaining to the financial documentation required for Supervised Lenders to obtain or renew a license. The current rule requires the submission of audited financial statements. While only roughly 9% of supervised lenders do not have audited reports (43 out of 496 companies), those companies are small businesses which may find procuring audited financial statements overwhelming. For this reason, we are clarifying the rule to ensure that while audited financial statements are preferred, there are alternative ways to provide sufficient indicia of financial responsibility for purposes of licensing.

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

**COMMENT DEADLINE:** January 31, 2025

**CONTACT PERSON FOR THIS FILING:** Linda Conti, Superintendent; Bureau of Consumer Credit Protection; 35 State House Station, Augusta, ME 04333; [Linda.conti@maine.gov](mailto:Linda.conti@maine.gov); Phone: (207) 624-8527; Fax: (207) 582-7699; TTY Users Call Maine Relay 711

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

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

**STATUTORY AUTHORITY FOR THIS RULE:**  9-A M.R.S. 2-302(1).

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

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

**EMAIL FOR OVERALL AGENCY RULEMAKING LIAISON:** linda.conti@maine.gov

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

**CHAPTER NUMBER AND TITLE: Chapter 25, Lobster and Crab Regulations, Chapter 25.76 Lobster Minimum Size**

**TYPE OF RULE: Routine Technical**

**PROPOSED RULE NUMBER: 2024-P328**

**BRIEF SUMMARY:** This proposed rule-making incorporates the minimum lobster size required by Addendum XXVII: Increasing Protection of the Gulf of Maine/Georges Bank Spawning Stock that was originally approved by the Atlantic States Marine Fisheries Commission (ASMFC) in May 2023. In October 2024 Addendum XXXI postponed the implementation of certain measures from Addendum XXVII to July 1, 2025. For compliance with the current Interstate Fisheries Management Plan, this regulation implements changing the minimum size of lobster from 3 ¼ inches to 3 5/16 inches, effective July 1, 2025.

**PUBLIC HEARING**:

January 7, 2025 at 5:00 pm at Jeff’s Catering, Brewer, ME

January 9, 2025 at 5:00 pm in DMR’s 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”.

If either hearing must be cancelled due to inclement weather, an alternate hearing will be held on January 10 at 3:00 pm in DMR’s 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:** January 21, 2025

**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: 207-624-6576

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 MRS 6431

**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 301; Supplemental Nutrition Assistance Program (SNAP) Rules; Section 777-4**

**SNAP Rule #235A – Procedures for Replacing Benefits Stolen Electronically**

**ADOPTED RULE NUMBER: 2024-272**

**CONCISE SUMMARY:**

The federal law allowing replacement of electronically stolen SNAP benefits will expire December 20, 2024. Therefore, the Department is adopting changes to Section 777-4 of the Supplemental Nutrition Assistance Program (SNAP) Rules consistent with that end date. The adopted rule limits the replacement of electronically stolen SNAP benefits to periods that such replacement is federally authorized. In addition, clarity was added that the policy applies to instances where electronic theft of information leads to the theft of benefits, not the other way around.

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

**EFFECTIVE DATE: Tuesday, December 17, 2024**

**AGENCY CONTACT PERSON:**

Michael E. Downs, Senior Program Manager - SNAP

Office for Family Independence

Department of Health & Human Services

109 Capitol Street

Augusta, ME 04333

Phone: (207)592-4850/ Fax: (207)287-3455

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[Michael.E.Downs@maine.gov](mailto:Michael.E.Downs@maine.gov)

**AGENCY: 09-137 Inland Fisheries and Wildlife**

**CHAPTER NUMBER AND TITLE: Chapter 29 – Species of Special Concern**

**ADOPTED RULE NUMBER: 2024-273**

**CONCISE SUMMARY:**

The Commissioner of Inland Fisheries and Wildlife has adopted changes to the list of Species of Special Concern. An update to the state Endangered Species list in 2023 requires the Special Concern List to be updated. The rule makes several modifications to MDIFW rule chapter 29, including: removal of 8 species from the special concern list because they have been added to Maine’s Endangered Species List (effective 10/2023); removal of 1 species from the special concern list due to improved conservation status (dragonfly); update 3 species common names; update 19 species scientific names or spelling; addition of 3 species to the special concern list due to improved conservation status assessments that indicate they qualify for special concern status (flower flies). A complete copy of the rule may be requested by contacting the Agency Contact Person.

**EFFECTIVE DATE: Saturday, December 21, 2024**

**AGENCY CONTACT PERSON:** Becky Orff

AGENCY NAME: Inland Fisheries and Wildlife

ADDRESS: 353 Water St, 41 SHS, Augusta, ME 04333

TELEPHONE: 207-287-5202

EMAIL: [Becky.Orff@maine.gov](mailto:Becky.Orff@maine.gov)

**Notice: Beginning in January 2025, online rulemaking proposal and adoption notices will be posted each week in a .pdf document. Each .pdf document that is posted will be accessible through a link that will be listed on the main “Weekly Rulemaking Notices” website.**