

**Annual List of Rulemaking Activity**  
**Rules Adopted January 1, 2023 to December 31, 2023**  
*Prepared by the Secretary of State pursuant to 5 MRS §8053-A(5)*

**Agency name:** Department of Corrections  
**Umbrella-Unit:** 03-201  
**Statutory authority:** 34-A MRS § 1208 & 1208-B  
**Chapter number/title:** Ch. 1, Detention and Correctional Standards for Counties and Municipalities  
**Filing number:** 2023-253  
**Effective date:** 1/1/2024  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The primary reason for amending the current rule is to add and revise jail standards to fulfill recent statutory requirements related to the follow subjects as they affect jail inmates: affirmation of a transgender inmate's consistently held gender identity; grievance process for complaints of violations of jail standards; transportation of females to and from medical appointments and privacy during appointments; access to menstrual products; protection of confidential attorney-client communications; and additional requirements for approval of home release monitoring for domestic violence offenders.

**Basis statement:**

The basis for amending the current rule is to add and revise jail standards to fulfill recent statutory requirements related to the follow subjects as they affect jail inmates: affirmation of a transgender inmate's consistently held gender identity; grievance process for complaints of violations of jail standards; transportation of females to and from medical appointments and privacy during appointments; access to menstrual products; protection of confidential attorney-client communications; additional requirements for approval of home release monitoring for domestic violence offenders; and jail boards of visitors.

**Fiscal impact of rule:**

None.

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**Agency name:** Department of Corrections  
**Umbrella-Unit:** 03-201  
**Statutory authority:** 25 MRS §1612  
**Chapter number/title:** Ch. 4, Line of Duty Death Benefits for Corrections Officers  
**Filing number:** 2023-191  
**Effective date:** 10/25/2023  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The amendment to this rule complies with recently enacted P.L. 2023, ch. 433, which goes into effect on 10/25/23. The amended rule makes two changes, which are:

1. adding death by suicide to be considered as line of duty death; and
2. changing the responsibility for determining line of duty death benefits from the Maine State Police Chief to the Commissioner of Corrections for MDOC law enforcement officers.

**Basis statement:**

The amendment to this rule complies with recently enacted P.L. 2023, ch. 433, which goes into effect on 10/25/23. The amended rule makes two changes, which are:

1. adding death by suicide to be considered as line of duty death; and
2. changing the responsibility for determining line of duty death benefits from the Maine State Police Chief to the Commissioner of Corrections for MDOC law enforcement officers.

**Fiscal impact of rule:**

None.