

**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 Public Safety, **Maine Emergency Medical Services**  
**Umbrella-Unit:** **16-163**  
**Statutory authority:** 32 M.R.S. §84(1) 32 M.R.S. §98  
**Chapter number/title:** **Ch. 24**, The Maine EMS Stabilization Program  
**Filing number:** **2023-246**  
**Effective date:** 12/13/2023  
**Type of rule:** Routine Technical  
**Emergency rule:** Yes

**Principal reason or purpose for rule:**

The Board of EMS is proposing this rule to implement the provisions of 32 M.R.S. §89 regarding financial assistance to emergency medical services entities at immediate risk of failing and leaving their communities without access to adequate emergency medical services. This rule is being adopted in response to an emergency, specifically that the expedient adoption of this rule, which would provide for the disbursement of funds to stabilize and continue the essential services of EMS entities within the State of Maine at immediate risk of failure, is necessary to avoid a disruption of those essential services.

**Basis statement:**

The 130th Legislature, Second Regular Session's Blue Ribbon Commission To Study Emergency Medical Services in the State published a report in December of 2022, in which they record as findings and recommendations: "...members expressed grave concern that EMS in the State is not only at the edge of a cliff but that in many areas of the State, particularly rural areas, EMS is already over that cliff. The primary issue facing EMS is a lack of funding...emergency medical services provided by an ambulance service are essential services. Funding is necessary and vital to delivering those essential services ... " This report further includes in Recommendation A-2 that "The Legislature should initially allocate \$25 million of the recommended \$70 million appropriation to specifically target transporting EMS services at immediate risk of failing and leaving their service area without access to adequate EMS. 32 M.R.S. §98 describes the purpose of that section as "... to provide financial assistance to emergency medical services entities based in the State that are facing immediate risk of failure..." 32 M.R.S. §81(A) states that "... The Legislature finds that the provision of medical assistance in an emergency is a matter of vital concern affecting the health, safety and welfare of the public..."

The Board finds, based on the findings of the 130<sup>th</sup> Legislature, Second Regular Session's Blue Ribbon Commission To Study Emergency Medical Services in the State, that rulemaking is necessary to promptly accomplish the legislature's intent in promulgating 32 M.R.S. §98, to provide the necessary funding that would stabilize the Maine EMS System's ability to provide services to the citizens and visitors of the State of Maine, and to mitigate the immediate risk of failure of Emergency Medical Services Entities, thus ensuring that the provision of medical assistance in an emergency, which is a matter of vital concern affecting the health, safety and welfare of the public, is continued without interruption.

The Board further finds that the immediate adoption of the proposed rule is necessary to avoid an immediate threat to public health, safety, or general welfare. Specifically, the Board finds that the expedient adoption of this rule, which would provide for the disbursement of funds to stabilize and continue the essential services of EMS entities within the State of

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Maine for those entities at immediate risk of failure, is necessary to avoid a disruption of those essential services.

**Fiscal impact of rule:**

Maine EMS estimates that this rule will introduce \$12,000,000 into licensed eligible EMS entities throughout the State of Maine and that this funding will stabilize the operations of these entities, which currently operate at a net loss. Maine EMS estimates that this funding will have an impact on the wages of EMS clinicians, which will cause downstream effects within the communities in which these clinicians reside. Maine EMS estimates that these funds will be spent within the State of Maine, which will have an impact on the municipalities served by eligible entities.

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**Agency name:** Department of Public Safety, **Gambling Control Board**  
**Umbrella-Unit:** **16-633**  
**Statutory authority:** 8 M.R.S. § 1003(1)(B)  
**Chapter number/title:** **Ch. 5**, Internal Controls and Appendix A  
**Filing number:** **2023-038**  
**Effective date:** 3/7/2023  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The rule package updates the minimum internal controls governing casino operations by the Board.

**Basis statement:**

This is an amendment to Board Rules Chapter 5, Appendix A, regarding updates to the general control over the ownership and operation of slot machines and table games, the distribution of slot machines and table games and slot machine facilities and casinos. These amendments include updates to internal control procedures that are necessary to reflect changes in technology and the casino industry that have taken place since 2004 when initial rules were promulgated.

**Fiscal impact of rule:**

N/A

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**Agency name:** Department of Public Safety, **Gambling Control Unit**  
**Umbrella-Unit:** **16-633**  
**Statutory authority:** 8 M.R.S. § 1003(1)(B) and (3)(I)  
**Chapter number/title:** **Ch. 13**, Exclusion  
**Filing number:** **2023-190**  
**Effective date:** 10/18/2023  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The rule package updates the rules governing self-exclusions at casinos.

**Basis statement:**

The rule package updates the rules governing self-exclusions at casinos.

**Fiscal impact of rule:**

N/A

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**Agency name:** Department of Public Safety, **Gambling Control Unit**  
**Umbrella-Unit:** **16-633**  
**Statutory authority:** 8 M.R.S. §§ 1102(1)(D) and 1103(5) & 8 M.R.S. §§ 1102(1)(D), 1102(1)(G) and 1103(3)(G)-(I).  
**Chapter number/title:** **Ch. 36**, License Fee and Renewal; **Ch. 41**, Licensee Records, Annual Reporting and Audits  
**Filing number:** **2023-227, 2023-228**  
**Effective date:** 11/11/2023  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

The rule package is being updated to reflect the true costs to the Unit of investigations and review of first-time applicants. It also is being updated to ensure that Fantasy Contest Operators' systems ensure security, confidentiality, processing integrity, availability, and privacy consistent with current standards.

**Basis statement:**

The rule package is being updated to reflect the true costs to the Unit of investigations and review of first-time applicants. It also is being updated to ensure that Fantasy Contest Operators' systems ensure security, confidentiality, processing integrity, availability, and privacy consistent with current standards.

**Fiscal impact of rule:**

Both the audit and the investigative cost will increase for the licensees but are essential to complete investigations and have all platforms audited appropriately.

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**Agency name:** Department of Public Safety, **Gambling Control Unit**  
**Umbrella-Unit:** **16-633**  
**Statutory authority:** 8 M.R.S. §1203(2)  
**Chapter number/title:** ***Regulation of Sports Wagering***  
**Ch. 50**, Introduction; **Ch. 51**, Definitions; **Ch. 52**, License Application, Fee and Renewal; **Ch. 53**, Internal Controls; **Ch. 54**, Facility Operator Operational Requirements; **Ch. 55**, Physical Premise Requirements; **Ch. 56**, House Rules; **Ch. 57**, Sports Wagering System Requirements; **Ch. 58**, Sports Wagers; **Ch. 59**, Sports Wagering Kiosks; **Ch. 60**, Sports Wagering Accounts; **Ch. 61**, Sports Wagering Revenue Reconciliations; **Ch. 62**, Geolocation and Remote Access; **Ch. 63**, Responsible Wagering Program; **Ch. 64**, Advertising and Promotions; **Ch. 65**, Management Service Contract Criteria; **Ch. 66**, Complaints and Disciplinary Actions  
**Filing number:** **2023-197 to 2023-213**  
**Effective date:** 10/29/2023  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

To establish rules required under 8 M.R.S. §1203(2) to regulate the conduct of sports wagering in Maine under the recently enacted Chapter 35 of Title of the Maine Revised Statutes. 8 M.R.S. §§ 1201-1219.

**Basis statement:**

These rule chapters establish the requirements for sports wagering licensing and compliance, pursuant to the recently enacted Chapter 35 of Title 8, Regulation of Sports Wagering. 8 M.R.S. §§1201-1219. The rules establish licensing criteria, technical and physical operational requirements, compliance standards related to wagering systems, accounts, responsible gaming, and advertising and promotions, and establish a complaint process for handling complaints against licensees.

**Fiscal impact of rule:**

Non applicable