

NOTICE OF AGENCY RULEMAKING

Public Input for Proposed Rules
Notices are published each Wednesday to alert the public regarding state agency rule-making. 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 rule-making if the petition is signed by 150 or more registered voters, and may begin rule-making 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 rule-making liaisons (<http://www.maine.gov/sos/cec/rules/liaisons.html>), who are single points of contact for each agency.

PROPOSALS

AGENCY: **10-144** - Department of Health and Human Services (DHHS), **Office of MaineCare Services (OMS) – Division of Policy**
CHAPTER NUMBER AND TITLE: **Ch. 101**, MaineCare Benefits Manual (MBM); **Ch. II Section 4**, Ambulatory Surgical Center Services
PROPOSED RULE NUMBER: **2016-P003**
CONCISE SUMMARY: The Department proposes to align MBM, Section 4, "Ambulatory Surgical Center (ASC) Services", with the current ASC reimbursement methodology as defined by the outpatient prospective payment system (OPPS) by the Centers for Medicare and Medicaid Services (CMS). The Department also proposes to reimburse physicians or other qualified providers at the facility rate listed in the MaineCare Fee for services delivered in ASCs. CMS-defined all-inclusive rates include

prosthetic devices that are considered integral to covered surgical services; MaineCare will no longer reimburse ASCs separately for prosthetic devices that are outside of the all-inclusive rate for covered surgical procedures. Members may procure medically necessary prosthetics through a durable medical equipment provider, physician, or other appropriately licensed provider in accordance with the applicable section of the MBM. Language is also added to Section 4.04 (B), Ancillary Services, to reflect that certain radiology services are eligible for separate payment under the OPPS. Section 4.05, Non-Covered Services, is amended to clarify that per CMS determination, surgeries performed in ASCs are not expected to result in extensive blood loss; when there is a need for blood products, MaineCare considers this a facility service and no separate charge is permitted. Language is also added to describe in more detail which services and supplies are non-covered and where else these services may be covered in the MBM. This rule-making also adds a general description of which surgical procedures are approved for delivery in an ASC, deletes components of the all-inclusive rate that were listed twice, more closely aligns reimbursement language with the CMS approved State Plan Amendment, removes the disclaimer that the section is dependent upon approval from CMS because approval has been granted, updates the MaineCare provider website URL, and makes minor formatting edits. See <http://www.maine.gov/dhhs/oms/rules/index.shtml> for rules and related rulemaking documents. PUBLIC HEARING: February 9, 2016 - 1:00 p.m., Room 401, Cross Office Building, 111 Sewall Street, Augusta, ME 04330. *The Department requests that any interested party requiring special arrangements to attend the hearing contact the agency person listed below before 5:00 p.m. on Tuesday, February 2, 2016.* DEADLINE FOR COMMENTS: Comments must be received by midnight Friday, February 19, 2016. AGENCY CONTACT PERSON / SMALL BUSINESS INFORMATION: Olivia Alford, Comprehensive Health Planner II, MaineCare Services, 242 State Street, 11 State House Station, Augusta, Maine 04333-0011. Telephone: (207) 624-4059. Fax: (207) 287-1864. TTY: 711 (Deaf or Hard of Hearing). E-mail: Olivia.Alford@Maine.gov. IMPACT ON MUNICIPALITIES OR COUNTIES: The Department anticipates that this rule-making will not have any impact on municipalities or counties.

Legal Notices

NOTICE OF PUBLIC SALE

By virtue of and in execution of a Judgment of Foreclosure and Sale entered in the District Court within and for the County of Penobscot, holden at Newport, Maine, on July 16, 2015 and docketed July , Docket No. RE-12-48, and this Notice of Sale, in an action brought by The Bank of New York Mellon f/k/a The Bank of New York, as Trustee for the Certificateholders of the CWABS, Inc. Asset-Backed Certificates, Series 2007-8 against Patricia Ruest, et al for foreclosure of a certain real estate mortgage recorded in the Penobscot Registry of Deeds in Vol. 11014, Page 347, the statutory 90-day period of redemption having expired without redemption, and the statutory period of redemption therefore having expired on October 17, 2015, notice is hereby given that there will be sold at public sale at 11:30 am on February 18, 2016, at the office of Michael F. Phillips, Jr., Esq., 112 Silver Street , Waterville, Maine, all and singular the premises described in said mortgage to which reference is hereby made for a complete description.

The property address is, or formerly known as:
229 South Road
Dixmont, ME 04932

TERMS OF SALE: Premises will be sold to the highest bidder. The mortgage holder reserves the right to bid. The purchase price is payable as follows: No deposit will be required to bid at the sale, however, a non-refundable deposit of Seventy-Five Hundred Dollars (\$7500.00) in the form of certified funds, will be required at the time of highest bid acceptance/close of sale payable to Phillips, Olore, Dunlavey & York, P.A. The balance of the purchase price is due within thirty (30) days of the sale date. All other terms are to be announced at the sale. Inquiries prior to date of sale should be directed to Plaintiff's attorney listed below.

DATED: January 7, 2016

/s/ Brent A. York
Brent A. York - Bar #6837
Attorney for The Bank of new York mellon f/k/a
The Bank of New York, as Trustee for the
Certificateholders of the CWABS, Inc.
Asset-Backed Certificates, Series 2007-83

PHILLIPS, OLORE, DUNLAVEY & YORK, P.A.
754 Main Street, Suite C
Presque Isle, ME 04769
(207)-769-2361

Jan. 13, 20, & 27, 2016

Legal Notices

**THE MAINE STATE PRISON/
BOLDUC CORRECTIONAL FACILITY
BOARD OF VISITORS WILL MEET**
Thursday, January 21, 2016 at 12 pm
at the Maine State Prison,
807 Cushing Road, Warren, Maine.

Jan. 20, 2016

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Tractors/Trailers/Trucks 390

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AGENCY: **13-188 - Department of Marine Resources (DMR)**
RULE TITLE OR SUBJECT: **Ch. 25**, Lobster and Crab; **25.45**, Crab Fishing Limitations
PROPOSED RULE NUMBER: **2016-P004**
CONCISE SUMMARY: In accordance with the Atlantic States Marine Fisheries Commission (ASMFC) Interstate Fishery Management Plan for Jonah Crab (August 2015), the Department is initiating proposed rule-making which will implement size and possession limits for Jonah Crabs, as required under the FMP. These new requirements include setting a minimum size of 4.75 inches; making it unlawful to possess egg-bearing, female Jonah crab; making it unlawful to possess mutilated Jonah crabs on board a vessel; and making it unlawful for recreational possession of more than 50 Jonah crabs per person per 24-hour day. In addition, the proposed rulemaking consolidates three pre-existing regional/seasonal limits on crab under the new crab section. PUBLIC HEARING: February 9, 2016 - 6:00 p.m., DMR Conference Room, Marquardt Building, 32 Blossom Lane, Augusta. *Hearing facilities:* If you require accommodations due to disability, please contact Amanda Beckwith, at (207) 287-7578. DEADLINE FOR COMMENTS: February 19, 2016. *To ensure consideration, comments must include your name and the organization you represent, if any. Please be aware that any risk of non-delivery associated with submissions by fax or e-mail is on the sender.* AGENCY CONTACT PERSON / SMALL BUSINESS INFORMATION / DMR RULE-MAKING LIAISON: Hannah Dean, Department of Marine Resources, 21 State House Station, Augusta, Maine 04333-0021. Telephone: (207) 624-6573. Fax: (207) 624-6024 TTY: (711) Maine Relay (Deaf/Hard of Hearing). E-mail: Hannah.Dean@Maine.gov. DMR rule-making website: <http://www.maine.gov/dmr/rulemaking/>.
THIS RULE WILL NOT HAVE A FISCAL IMPACT ON MUNICIPALITIES.

AGENCY: **13-188 - Department of Marine Resources (DMR)**
RULE TITLE OR SUBJECT: **Ch. 32**, Eels (**32.03**, Commercial Harvesting Regulations; **32.06**, Recreational Eel Harvesting Regulations; **32.30**, Elver Gear and Fishing License Lottery; **32.35**, Elver Quota System for 2015 Elver Season)
PROPOSED RULE NUMBER: **2016-P005**
CONCISE SUMMARY: This proposed rule-making establishes the elver quota

Legal Notices

ORDER FOR SERVICE BY ALTERNATIVE MEANS

Penobscot Superior Court, Docket BANSC-CV-2015-177
Hannah L. Brown & Daniel R Tucker, Plaintiff v. Kevin Flynn, Defendant.

This court has reviewed the motion of the plaintiff for service by alternative means. The type of action is Fraud and Breach of Fiduciary Duty.

Property or credits of the defendant may be affected, which include 373 Smith Road, Corinna, Maine.

The name and address of the plaintiff attorney is Michael Tadenev, Tucker Law Group, PO Box 696, Bangor Me, 04402.

The Moving Party has demonstrated:
1. Due diligence in attempting to obtain personal service of process prescribes by M.R. Civ. P.4.
2. The address of the party to be served is: Unknown and cannot be ascertained by reasonable diligence.
3. The requested method of service is reasonable calculated to provide actual notice of the pendency of the action to the party to be served and is the most practical manner of effecting notice of the suit.

It is **ORDERED** that Service be made upon the other party by: Publishing a copy of this order once a week for three (3) consecutive weeks in the Bangor Daily News, a newspaper of general circulation in the county or municipality most reasonable calculated to provide actual notice of the pendency of the action, **AND** mailing a copy of this Order as published to Defendant at his last known address.

It is **FURTHER ORDERED** that the **party being served** appear and serve an answer to the complaint or post-judgement motion to the serving party at the address listed above. The answer must be filed with the court within twenty-one (21) days of service. If service is made by publication in a newspaper, the answer must be filed with the court within forty-one (41) days after the first publication in the newspaper. **Failure to serve an answer will cause judgement by default to be entered, granting relief sought in the motion or complaint.**

Date: 12/22/15, Judge.

January 4, 11, 18, 2016

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allocations for the 2016 season for individuals licensed under §§ 6505-A and 6302-A, and the method of calculating individual elver quota allocations for individuals licensed under 6505-A. 2016 allocations will be the same as the 2015 allocations, minus any quota that was provided due to licenses that were under suspension in 2015, but which are not under suspension in 2016. The proposed rule-making also creates an area closure to the taking of eels and elvers within a portion of the Kennebec River and within Cobbosseecontee Stream in Gardiner, so that Maine DMR can undertake the eel life cycle study required for compliance with the ASMFC fisheries management plan. The elver gear and fishing license lottery has been suspended by the Legislature, so the language regarding the lottery is proposed to be struck, until such time as the lottery is reinstated in law. Finally, there is some reorganization of the chapter to combine the regulations regarding commercial and recreational eel harvesting. PUBLIC HEARING: February 9, 2016 - 6:15 p.m., DMR Offices, Marquardt Building, 32 Blossom Lane, Augusta. *Hearing facilities:* If you require accommodations due to disability, please contact Amanda Beckwith, at (207) 287-7578. DEADLINE FOR COMMENTS: February 19, 2016. *To ensure consideration, comments must include your name and the organization you represent, if any. Please be aware that any risk of non-delivery associated with submissions by fax or e-mail is on the sender.* AGENCY CONTACT PERSON / SMALL BUSINESS INFORMATION / DMR RULE-MAKING LIAISON: Hannah Dean, Department of Marine Resources, 21 State House Station, Augusta, Maine 04333-0021. Telephone: (207) 624-6573. Fax: (207) 624-6024 TTY: (711) Maine Relay (Deaf/Hard of Hearing). E-mail: Hannah.Dean@Maine.gov. THIS RULE WILL NOT HAVE A FISCAL IMPACT ON MUNICIPALITIES.

ADOPTIONS

Pursuant to Ch. 380 of the Public Laws of 2011, notice of the adoption of rules will no longer be published in the newspaper rule-making notices; our Wednesday web notices will continue to carry them, however. Information on rules adopted through the *Maine Administrative Procedure Act* as well as the full text of adopted rules is available on the internet at <http://www.maine.gov/sos/cec/rules>.

Published January 20, 2016

Legal Notices

Time Warner Cable's agreements with programmers and broadcasters to carry their services and stations routinely expire from time to time. We are usually able to obtain renewals or extensions of such agreements, and carriage of programming services is discontinued only in rare circumstances. The following agreements with programmers are due to expire soon, and we may be required to cease carriage of one or more of these services in the near future ***where these services are offered:***

WBGR-LP SD&HD, WAGM SD&HD, WAGM DT2 SD&HD, WGME SD&HD, WGME DT2, WPFO SD&HD, WPFO DT2, Music Choice channels 1900-1950, Reelz SD&HD, POP SD&HD, Pivot, Deutsche Welle, Cinemax SD&HD, Cinemax West, Cinemax On Demand, 5 Star Max SD&HD, ActionMax SD&HD, ActionMax West, MaxLatino SD&HD, MoreMax SD&HD, MoreMax West, MovieMax SD&HD, OuterMax SD&HD, ThrillerMax SD&HD, ThrillerMax West, HBO SD&HD, HBO West, HBO On Demand, HBO 2 SD&HD, HBO 2 West, HBO Comedy SD&HD, HBO Comedy West, HBO Family SD&HD, HBO Family West, HBO Latino SD&HD, HBO Latino West, HBO Signature SD&HD, HBO Signature West, HBO Zone SD&HD, HBO Zone West, NHL Network SD&HD, RFD, YouToo, Zee TV

In addition, from time to time we make certain changes in the services that we offer in order to better serve our customers. The following changes are scheduled to take place:

WGN America will be added on or about January 20, 2016

WCSH DT3 will be added to Arundel, Augusta, Camden, Cumberland County, Lewiston, Oxford, Sebago, Waterville, Wyman and York County on or about January 20, 2016

WGME DT3 will be added to Arundel, Augusta, Berlin, Camden, Conway, Cumberland County, Lewiston, Oxford, Sebago, Waterville, Wyman and York County on or about February 22, 2016

STARZ® WILL OFFER A FREE PREVIEW APRIL 8-10, 2016. IT IS AVAILABLE TO ALL DIGITAL SUBSCRIBERS AND MAY CONTAIN PG, PG-13, TV-14, TVMA AND R RATED PROGRAMS. TO FIND OUT HOW TO BLOCK THIS PREVIEW, AND FOR MORE PARENTAL CONTROL INFORMATION, VISIT TWC.COM



We will be providing you these notifications whenever there is a change in channel or programming service. You can also check our division website at WWW.TWC.COM if you would like more updated information.

Jan. 20, 2016

Legal Notices

**127TH MAINE LEGISLATURE
LEGISLATIVE NOTICES
HEARINGS ON GOVERNOR'S NOMINATIONS**

Legislative committees will hold public hearings as listed below for the purpose of considering nominations by the Governor for appointment to positions that require review by joint standing committees and to confirmation by the Legislature. You may testify at the public hearing or submit written testimony. Written testimony must be received by 9 am the day of the hearing and should be sent to: Legislative Information Office, 100 SHS, Augusta, Maine 04333-0100. Persons with special needs who wish to attend a Legislative hearing and require accommodations should notify the Legislative Information Office as soon as possible: 2 0 7 - 2 8 7 - 1 6 9 2 , T T Y 2 0 7 - 2 8 7 - 6 8 2 6 , F A X 2 0 7 - 2 8 7 - 1 5 8 0 , webmaster_lfo@legislature.maine.gov.

JOINT STANDING COMMITTEE ON VETERANS AND LEGAL AFFAIRS
Senator Scott W. Cyrway, Senate Chair, Representative Louis J. Luchini, House Chair

Public Hearing: Wednesday, January 27, 2016, 10:00 AM, State House, Room 437
Nominee: Meri N. Lowry, Esq. of Portland to the Commission on Governmental Ethics and Election Practices

The Commission on Governmental Ethics and Election Practices was established to guard against corruption or undue influencing of the election process and against acts or the appearance of misconduct. The 5 members of the Commission are appointed from lists provided by appointed Senate and House leaders from each political party. The public is given a 30-day notice in which to propose individuals to be nominated for appointment. No more than 2 members may be enrolled in the same political party. Members serve 3-year terms and may not serve more than 2 terms. A more detailed description of the Commission can be found at <http://janus.state.me.us/legis/statutes/1/title1sec1002.html>.
Nominee: Robert A. Harmon of Raymond to the Gambling Control Board
The Board, within the Department of Public Safety, was created to regulate, supervise & exercise general control over slot machines and facilities where they are located. Four of the 5 member board must represent corporate finance, economics, law, accounting, law enforcement, computer science or the gambling industry. One member must have experience in the harness racing industry. Members serve 3-year terms and may not serve more than 2 consecutive terms. A more detailed description of the Board can be found at <http://www.mainelegislature.org/legis/statutes/8/title8ch31sec0.html>
CONTACT: Carla McPherson, 287-1310

Jan. 20, 2016

Legal Notices

PUBLIC NOTICE OF DRAFT LICENSE AVAILABILITY

Please take notice that Juniper Ridge Energy, LLC, 46280 Dylan Drive, Ste 200, Novi, MI 48377, (248) 380-3920 has filed an Air Emission License Application with the Maine Department of Environmental Protection (DEP). The application has been found acceptable for processing by the Bureau of Air Quality (BAQ) and a draft license has been prepared pursuant to the provisions of 38 M.R.S.A., Section 590.

The application is for a landfill gas-to-energy plant to be installed at the Juniper Ridge Landfill the application, supporting documentation, and the BAQ's preliminary determination in the form of a draft order are available for review at the BAQ's Augusta office, and the municipal office in Old Town, Maine.

Written public comments may be sent to Lynn Muzzey at the Bureau of Air Quality, State House Station #17, Augusta, Maine 04333. The public comment period ends 30 calendar days following the date of this notice.

According to Department regulations, interested parties must be notified, written comments are invited, and the public may request a public meeting. If the Department receives a written request for a public meeting within 15 calendar days from the date of this notice, a public meeting will be held on February 29, 2016 at 1:00 at 265 Main Street in Old Town, Maine.

Jan. 20, 2016

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