

# MAINE STATE LEGISLATURE

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**LAWS**  
**OF THE**  
**STATE OF MAINE**

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTIETH LEGISLATURE**

**SECOND REGULAR SESSION**  
**January 2, 2002 to April 25, 2002**

**THE GENERAL EFFECTIVE DATE FOR**  
**SECOND REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JULY 25, 2002**

**PUBLISHED BY THE REVISOR OF STATUTES**  
**IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,**  
**TITLE 3, SECTION 163-A, SUBSECTION 4.**

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**J.S. McCarthy Company**  
**Augusta, Maine**  
**2002**

**CHAPTER 96****H.P. 1532 - L.D. 2035****Resolve, Directing the Department of Defense, Veterans and Emergency Management to Make Recommendations to the Legislature to Provide Increased Outreach Activities for Women Veterans**

**Sec. 1. Commissioner of Defense, Veterans and Emergency Management to make recommendations regarding outreach activities for women veterans. Resolved:** That the Commissioner of Defense, Veterans and Emergency Management shall review the report of the Advisory Commission on Women Veterans and develop a plan to meet the needs identified, including outreach activities to contact women veterans within the State to explain benefits available to them, and shall start these outreach activities; and be it further

**Sec. 2. Reporting date established. Resolved:** That the Commissioner of Defense, Veterans and Emergency Management shall report on the progress of the Department of Defense, Veterans and Emergency Management concerning outreach activities and other concerns for women veterans to the Legislature by January 15, 2003.

See title page for effective date.

**CHAPTER 97****H.P. 1571 - L.D. 2076****Resolve, Regarding Legislative Review of Amendments to Chapter 305, Permit by Rule Standard and Chapter 310, Wetland Protection Regarding Cutting and Removal of Vegetation, Major Substantive Rules of the Department of Environmental Protection**

**Sec. 1. Adoption. Resolved:** That final adoption of amendments to Chapter 305, Permit by Rule Standard and Chapter 310, Wetland Protection Regarding Cutting and Removal of Vegetation, provisionally adopted major substantive rules of the Department of Environmental Protection, that have been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A is authorized only if Chapter 305 is amended as follows:

1. Section 2, paragraph C, subparagraph (1) of the proposed amendment to Chapter 305 must be

amended to strike the sentence proposed in that subparagraph that states: "Division of a parcel of land that occurs after September 1, 2002, and that results in circumvention of the setback requirement may be considered by the department and may be the basis for a denial under this subsection"; and

2. Section 2, paragraph C, subparagraph (3) of the proposed amendment to Chapter 305 must be amended by striking everything in that subparagraph after the word "minimized."

The Department of Environmental Protection is not required to hold hearings or conduct other formal proceedings on this rule prior to finally adopting this rule in accordance with this resolve; and be it further

**Sec. 2. Report. Resolved:** That the Department of Environmental Protection and the Maine Land Use Regulation Commission shall evaluate the point system used by those agencies to define what constitutes a well-distributed stand of trees within a vegetative buffer between development and a regulated water body and shall jointly report the results of that evaluation to the joint standing committee of the Legislature having jurisdiction over protected natural resources no later than January 15, 2003. The department and the commission shall invite the participation of the regulated community when conducting its evaluation under this section. The report must include, but is not limited to, recommendations on any changes to the specific points given to trees of specific diameters, the reasons for those recommendations and the effect of those changes over time on the distribution of trees and other vegetation in those buffer strips.

See title page for effective date.

**CHAPTER 98****H.P. 1590 - L.D. 2095****Resolve, Regarding Legislative Review of Portions of Chapter 10, Section 17(A)(2), (3) and (6), Standards for the Clearing of Vegetation for Development, Major Substantive Rules of the Maine Land Use Regulation Commission within the Department of Conservation**

**Emergency preamble. Whereas,** Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

**Whereas,** the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A requires legislative