

# MAINE STATE LEGISLATURE

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

**AS PASSED BY THE**

**ONE HUNDRED AND TWENTY-SECOND LEGISLATURE**

**FIRST REGULAR SESSION**  
**December 1, 2004 to March 30, 2005**

**FIRST SPECIAL SESSION**  
**April 4, 2005 to June 18, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST REGULAR SESSION**  
**NON-EMERGENCY LAWS IS**  
**JUNE 29, 2005**

**THE GENERAL EFFECTIVE DATE FOR**  
**FIRST SPECIAL SESSION**  
**NON-EMERGENCY LAWS IS**  
**SEPTEMBER 17, 2005**

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

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**Penmor Lithographers**  
**Lewiston, Maine**  
**2005**

**Emergency clause.** In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective May 20, 2005.

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## CHAPTER 37

H.P. 803 - L.D. 1160

### Resolve, To Increase Wetland Protection

**Sec. 1. Tier 1 freshwater wetland alteration permitting; report. Resolved:** That the Department of Environmental Protection shall evaluate the resources necessary to apply all the standards in the Maine Revised Statutes, Title 38, section 480-D to projects eligible for Tier 1 freshwater wetland review. The department's evaluation must include consideration of cumulative impacts, staff time, regulatory processing time, fees and the benefits of applying all the standards to Tier 1 review. The department shall report to the Joint Standing Committee on Natural Resources with any recommendations, including proposed legislation, by February 1, 2006. The department's recommendations may not jeopardize any current single permit review process. The Joint Standing Committee on Natural Resources is authorized to report out legislation related to the department's evaluation to the Second Regular Session of the 122nd Legislature; and be it further

**Sec. 2. Freshwater wetland compensation proposal; report. Resolved:** That the Department of Environmental Protection shall work with the Executive Department, State Planning Office and other interested parties to develop a proposal for a freshwater wetland compensation program for freshwater wetlands that require a Tier 1 review process, to review the wetlands exemptions contained in the Maine Revised Statutes, Title 38, chapter 3, subchapter 1, article 5-A and to recommend changes to ensure adequate protection of regulated freshwater wetlands. The Department of Environmental Protection shall report to the Joint Standing Committee on Natural Resources on its proposal and recommendations by February 1, 2006 and submit proposed legislation to implement the recommendations. The Joint Standing Committee on Natural Resources is authorized to report out legislation regarding the department's report to the Second Regular Session of the 122nd Legislature.

See title page for effective date.

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## CHAPTER 38

S.P. 329 - L.D. 989

### Resolve, To Study the Insured Value Factor in School Tuition

**Sec. 1. Task force to study the insured value factor in school tuition. Resolved:** That the Department of Education shall convene a task force to study the current application of the insured value factor and assess the need for its continuation in tuition computation. The task force consists of 6 members as follows:

1. The Commissioner of Education or the commissioner's designee;
2. The Chair of the State Board of Education or a member of the board designated by the chair of the board;
3. A representative of a town academy that has a contract to receive students from a school administrative unit;
4. A representative from a town academy that does not have a contract to receive students from a school administrative unit; and
5. Two representatives of school administrative units that do not have a public high school.

The Chair of the State Board of Education or the member of the board designated by the chair of the board to serve on the task force shall serve as chair of the task force. Based on its review of the issues, the task force shall develop a proposal as to whether there is a need to retain the insured value factor in tuition computation; and be it further

**Sec. 2. Submission of proposal. Resolved:** That, no later than January 9, 2006, the chair of the task force convened pursuant to section 1 shall submit its proposal, along with any necessary implementing legislation, to the Joint Standing Committee on Education and Cultural Affairs. The Joint Standing Committee on Education and Cultural Affairs is authorized to introduce a bill related to the insured value factor to the Second Regular Session of the 122nd Legislature.

See title page for effective date.

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