# MAINE STATE LEGISLATURE

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## (New Draft of H.P. 796, L.D. 1068) FIRST REGULAR SESSION

#### ONE HUNDRED AND THIRTEENTH LEGISLATURE

NO. 1761

Legislative Document

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H.P. 1285	House of Representatives, June 8, 1987
Reported by Re	presentative COLES from the Committee on
	Resources and printed under Joint Rule 2.
	EDWIN H. PERT, Clerk
Original bill	sponsored by Representative KIMBALL of
Buxton. Cosponsore	d by Representatives MICHAUD of East
Millinocket DIAMON	D of Bandor and Senator BLACK of Cumberland

### STATE OF MAINE

#### IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-SEVEN

1 2 3	AN ACT to Protect the State's Freshwater Great Ponds and Rivers.
4 5	Be it enacted by the People of the State of Maine as follows:
-6	30 MRSA §3223-B is enacted to read:
7	§3223-B. Transfers of shoreland property
8 9	Any person transferring property on which a sub- surface waste water disposal system is located within
10	a shoreland area, as defined in Title 38, section
11	435, shall provide the transferee with a sworn state-
12	ment at the time of transfer certifying with any nec-
13	essary written documentation that:

1	<ol> <li>Inspection. The disposal system has been in-</li> </ol>	í
2	spected within the preceding 180 days by a person li-	1
3	censed pursuant to Title 22, section 42, and not	
4	found to be malfunctioning; and	
5 6	2. Showings. At least one of the following conditions has been met:	
7	A. The disposal system has received a permit and	1
8	certificate of approval from an individual li-	
9	censed pursuant to section 3222;	
	***************************************	
10	B. The subsurface waste water disposal system	
11	has been replaced by a connection to an approved	
12	sanitary sewer; or	
13 14 15 16 17 18	C. The transferor provides documentation of an application and any necessary departmental approval as specified in the Maine State Plumbing Code, that, in the event of a future malfunction of the existing system, a replacement subsurface waste water disposal system can be installed to serve the existing level of use.	
20	STATEMENT OF FACT	
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21 22 23 24	The purpose of this new draft is to eliminate the permit requirements of the original bill. That approach is replaced with a requirement that the person selling property with a subsurface disposal system in	

waste load. The requirements of this approach

selling property with a subsurface disposal system in

the shoreland zone certify to the purchaser that the system is working and is consistent with the Maine State Plumbing Code, is actually hooked up to a pub-

lic sewer or that there is room on the property for a

replacement system sufficient to handle the existing

modeled generally on the seasonal conversion require-

ments in existing law.

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