MAINE STATE LEGISLATURE

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(EMERGENCY) (AFTER DEADLINE) SECOND REGULAR SESSION

ONE HUNDRED AND THIRTEENTH LEGISLATURE

Legislative Document

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NO. 2652

H.P. 1958 House of Representatives, May 4, 1988 Approved for introduction by a majority of the

Legislative Council pursuant to Joint Rule 27.
Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative HOLLOWAY of Edgecomb.
Cosponsored by Representative MICHAUD of East Millinocket.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND EIGHTY-EIGHT

AN ACT to Amend the Shoreland Property

Transfer Law.

Emergency preamble. Whereas, Acts of the

until

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after adjournment unless enacted as emergencies; and

Whereas, the existing law, which becomes effective

on June 1, 1988, regarding transfers of certain

Legislature do not become effective

- shoreland property may pose serious obstacles 2 timely transfers; and
- Whereas, the remedy provided by this Act will not 3 4 become effective until 90 days after adjournment; and
- 5 Whereas, in the judgment of the Legislature, these 6 facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the 7 8 9 preservation of the public peace, health and safety; 10 now, therefore,
- 11 Be it enacted by the People of the State of Maine as 12 follows:
- 13 Sec. 1. 30 MRSA §3223-B, as enacted by PL 1987, 14 c. 381, is repealed and the following enacted in its 15 place:
- 16 §3223-B. Transfers of shoreland property

compliance with any permit conditions.

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- Any person transferring property on which a subsurface waste water disposal system is located 18 located 19 within the shoreland area, as defined in Title 38, section 435, shall provide the transferee with a written statement by the transferor as to whether the system has malfunctioned during the 180 days preceding 20 21 22 23 the date of transfer.
- 24 Sec. 2. 30 MRSA §4961-A, sub-§4, as enacted by 25 PL 1987, c. 766, §6, is amended to read:
- 4. Application fees. Any application fee charged by a municipality for an application for any land use 27 permit issued by the municipality may not exceed the 28 processing and, 29 cost review, reasonable οf 30 regulation and supervision of the application by the 31 municipality and its consultants 32 administration of any requirement for a certificate of
- 34 Sec. 3. Effective date. Section 2 shall take 35 effect July 21, 1988.

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5		STATE	емеит О	F FACT	ı			

This bill replaces the existing law governing transfers of certain shoreland properties. It also allows municipalities to charge application fees for permits that reflect the cost of regulating and supervising proposed construction.