

# MAINE STATE LEGISLATURE

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1 shoreland property may pose serious obstacles to  
2 timely transfers; and

3       Whereas, the remedy provided by this Act will not  
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  
7 Constitution of Maine and require the following  
8 legislation as immediately necessary for the  
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14 c. 381, is repealed and the following enacted in its  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

17       Any person transferring property on which a  
18 subsurface waste water disposal system is located  
19 within the shoreland area, as defined in Title 38,  
20 section 435, shall provide the transferee with a  
21 written statement by the transferor as to whether the  
22 system has malfunctioned during the 180 days preceding  
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:

26       4. Application fees. Any application fee charged  
27 by a municipality for an application for any land use  
28 permit issued by the municipality may not exceed the  
29 reasonable cost of processing and, review,  
30 regulation and supervision of the application by the  
31 municipality and its consultants and the  
32 administration of any requirement for a certificate of  
33 compliance with any permit conditions.

34       Sec. 3. Effective date. Section 2 shall take  
35 effect July 21, 1988.

1       **Emergency clause.**       In view of the emergency  
2 cited in the preamble, section 1 shall take effect on  
3 May 31, 1988, and section 2 shall take effect on July  
4 21, 1988.

5

STATEMENT OF FACT

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

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