



Timothy Nangle
Senator, District 26

THE MAINE SENATE
132nd Legislature

3 State House Station
Augusta, Maine 04333

Testimony of Senator Tim Nangle introducing
LD 1904, "An Act to Establish the Municipal Shoreline Protection Legal Fund"
Before the Joint Standing Committee on Environment and Natural Resources
May 12, 2025

Senator Tepler, Representative Gramlich, and members of the Joint Standing Committee on Environment and Natural Resources, my name is Tim Nangle. I proudly represent Senate District 26, which includes the communities of Casco, Frye Island, Raymond, Windham, and part of Westbrook. I am here today to present LD 1904, "An Act to Establish the Municipal Shoreline Protection Legal Fund."

In my district, Sebago Lake provides clean drinking water to over 200,000 people in southern Maine. It's one of the cleanest lakes in the country, and one of the few sources in the nation that requires no filtration before it's delivered to the tap. It's also a defining feature of our region, supporting local businesses, drawing in visitors, and offering year-round recreation for thousands of Mainers.

Of course, Sebago isn't Maine's only significant body of water. In your districts and across our state, lakes, rivers, and streams serve as environmental, economic, and cultural lifelines for their communities. From fishing and boating to wildlife conservation, these waters touch every part of Maine life. They're invaluable. But at the same time, they're vulnerable.

Our shoreland zoning laws are our primary tool for protecting these critical resources. They help prevent overdevelopment, control erosion, reduce pollution, and preserve public access to our waters. But these protections are only as strong as our ability to enforce them.

The need for stronger shoreland zoning enforcement became particularly clear in my district, where the town of Raymond recently spent three years and over half a million dollars in legal expenses trying to hold a developer accountable for a serious violation. The developer replaced 400 feet of trees and other vegetation along Sebago Lake with stones — a direct violation of local shoreland zoning provisions designed to prevent exactly this kind of environmental damage.

Despite the clear harm caused by this violation, the town faced a costly, drawn-out legal battle, with no guarantee that its expenses would ever be reimbursed. Knowing the financial burden of a prolonged court case, the developer continued to push back, even inquiring about new development permits for the same property while the violations were still unresolved.

Ultimately, a settlement was reached in April 2024, requiring the developer and associated contractors to pay \$650,000 to the town to cover attorney fees, civil penalties, and restoration costs. This case demonstrated the severe financial strain that municipalities can face when attempting to enforce shoreland zoning laws and highlighted a critical gap in Maine's shoreland zoning.



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That's why I introduced LD 2101 during the Second Regular Session of the 131st Legislature. That bill passed with bipartisan support and was signed into law on April 9, 2024, and gave municipalities new tools to hold violators accountable.

LD 2101 included several essential reforms:

- It allowed municipalities and the Land Use Planning Commission (LUPC) to revoke or suspend building permits for properties with outstanding violations, ensuring that bad actors couldn't simply continue developing as if nothing had happened.
- It empowered towns to place liens on properties with unresolved violations, ensuring that towns could eventually recoup their legal costs if a property changed hands.
- It required property owners to disclose known violations when selling a property, preventing violators from avoiding responsibility by simply transferring ownership.

These changes represented a critical first step in restoring the balance of power between municipalities and those who violate our environmental protections. However, one major challenge remains: the cost of enforcement.

LD 2101 addressed many of the legal gaps that made enforcement difficult, but it did not address the financial burden municipalities face when attempting to hold violators accountable. That's where LD 1904 comes in.

This bill would establish the Municipal Shoreline Protection Legal Fund, providing financial support to towns pursuing legal action against egregious shoreland zoning violations. It ensures that local governments are not forced to choose between protecting their natural resources and balancing their budgets.

Here's how it works:

- The Governor's Office of Policy Innovation and the Future will administer the fund. It will be available to municipalities that need assistance covering legal costs related to shoreland zoning enforcement.
- The fund will be non-lapsing, meaning any unspent funds remain available year to year, providing a stable source of support.



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- If a town receives financial assistance and later wins its case, it must reimburse the fund using the court-awarded fees and costs, ensuring it can continue supporting future cases.
- The Governor will be required to recommend a minimum balance of \$100,000 in the fund each fiscal year, providing a reliable funding stream to support enforcement efforts.

This proposal builds on the momentum we created with LD 2101. That bill empowered municipalities to uphold the rules. LD 1904 will ensure they have the financial means to follow through.

Thank you for your time and consideration, and I welcome any questions you may have.