

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
HOUSE OF REPRESENTATIVES
108TH LEGISLATURE
FIRST REGULAR SESSION

(Filing No. H-926)

HOUSE AMENDMENT "U" to S.P. 590, L.D. 1896, Bill,
"AN ACT to Make Additional Corrections of Errors and
Inconsistencies in the Laws of Maine."

Amend the Bill by inserting after section 118 the
following:

'Sec. 118-A. 30 MRSA §4956, sub-§4, 1st sentence, as
amended by PL 1977, c. 315, is further amended to read:

No person, firm, corporation or other legal entity may sell,
lease, develop, build upon or convey for consideration,
offer or agree to sell, lease, develop, build upon or convey
for consideration any land in a subdivision which has not been
approved by the municipal reviewing authority of the municipality
where the subdivision is located and recorded in the proper
registry of deeds, nor shall such person, firm, corporation or
other legal entity sell or convey any land in such approved
subdivision unless at least one permanent marker is set at
one lot corner of the lot sold or conveyed.

Sec. 118-B. 30 MRSA §4956, last ¶, 1st sentence, as
last amended by PL 1973, c. 465, §6, is repealed and the following
enacted in its place:

Any person, firm, corporation or other legal entity who
sells, leases, develops, builds upon, or conveys for consideration,
offers or agrees to sell, lease, develop, build upon or convey
for consideration any land in a subdivision which has not been
approved as required by this section shall be punished by a
fine of not more than \$1,000 for each such occurrence.'

Statement of Fact

The Law Court in the recent case of Town of Arundel v. Morrill and Frances Swain, (Me. 1977) _____ A.2d _____, brought to light an inconsistency between Title 30, section 4956, subsections 1 and 4 _____ in that the latter subsection does not seem to penalize those persons who accomplish a subdivision by "buildings, development or otherwise." This amendment will correct these inconsistencies.

Filed by Mr. Spencer of Standish.

Reproduced and distributed under the direction of the Clerk of the House.
7/7/77

(Filing No. H-926)