MAINE STATE LEGISLATURE

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_	L.D. 2126
2	(Filing No. H-957)
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8	STATE OF MAINE HOUSE OF REPRESENTATIVES 115TH LEGISLATURE
10	SECOND REGULAR SESSION
12	COMMITTEE AMENDMENT " \mathcal{A} " to H.P. 1514, L.D. 2126, Bill, "An
14	Act to Amend the Subdivision Laws within the Jurisdiction of the Maine Land Use Regulation Commission"
16	Amend the bill by striking out everything after the title
18	and before the statement of fact and inserting in its place the following:
20	'Emergency preamble. Whereas, Acts of the Legislature do not
22	become effective until 90 days after adjournment unless enacted as emergencies; and
24	WWY.
26	Whereas, Public Law 1991, chapter 306 changed the requirements for subdivision review of lots greater than 40 acres that are not within the shoreland area or divided from lots with
28	shoreland area; and
30	Whereas, certain platted lots greater than 40 acres can not be sold without full subdivision review by the Maine Land Use
32	Regulation Commission because they are linked to a parent parcel with shoreland; and
34	Whereas, in the judgment of the Legislature, these facts
36	create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately
38	necessary for the preservation of the public peace, health and safety; now, therefore,
40	Do it amoutant by the Doople of the State of Maine or follows:
42	Be it enacted by the People of the State of Maine as follows:
	Sec. 1. Transitional clause for certain subdivisions. If a complete
44	application is filed with the Maine Land Use Regulation Commission pursuant to chapter 16 of the rules of the commission
46	by July 1, 1993, lots are deemed to meet the applicability

provisions of section 4 of those rules when those lots:

" to H.P. 1514, L.D. 2126

2	1. Contain at least 40 acres but not more than 100 acres;
4	 Are shown on a plan of lots filed with the applicable registry of deeds and the State Tax Assessor between April 20,
6	1988 and September 30, 1989; and
8	3. Are not located within 1320 feet of the normal high water line of any great pond or river or within 250 feet of the
10	upland edge of a coastal or freshwater wetland as those terms are defined in the Maine Revised Statutes, Title 38, section 436-A.
12	Sale, lease or other conveyance of any lot that is shown on
14	a plan that meets the requirements of subsection 2, but that does not meet the requirements of subsection 1 or 3, is subject to
16	subdivision review and approval by the Maine Land Use Regulation Commission under chapter 10 of its rules.
18	Emergency clause. In view of the emergency cited in the
20	preamble, this Act takes effect when approved.
22	FISCAL NOTE
24	
26	The Maine Land Use Regulation Commission will incur some minor additional administrative costs associated with the review of certain subdivision applications under chapter 16 of the
28	commission's rules. These costs can be absorbed by the commission utilizing existing budgeted resources.'
30	
32	STATEMENT OF FACT
34	This amendment, the majority report of the committee, repeals the original bill and replaces it with a provision to
36	exempt certain lots within the jurisdiction of the Maine Land Use Regulation Commission from full subdivision review.
38	TE - leb is much of a subdivision that one alabed between
40	If a lot is part of a subdivision that was platted between April 20, 1988 and September 30, 1989, consists of a parcel of at least 40 acres and less than 100 acres and is located at least
42	1/4 mile from the shore of any major water body, then that lot may be reviewed under the commission's chapter 16 rules. These
44	rules impose certain standards and restrictions on these lots. Any lots within that subdivision that do not meet these criteria
46	are subject to full subdivision review.

Reported by the Majority of the Committee on Energy and Natural Resources Reproduced and distributed under the direction of the Clerk of the House 2/20/92

(Filing No. H-957)