

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 1588, L.D. 2242, Bill, "An Act to Clarify the Subdivision Definition under Maine Land Use Regulation Commission Laws"

Amend the bill in section 1 in subsection 2 in paragraph D in the 3rd line (page 1, line 36 in L.D.) by striking out the following: ", paragraph A"

Further amend the bill in section 2 by striking out all of subsection 6-A and inserting in its place the following:

'6-A. Recording of land division plan required. A copy of each land division plan must be recorded in the registry of deeds of the county in which the land is located.

A. When 3 to 10 lots each containing at least 40 acres are created within a 5-year period and are located more than 1,320 feet from the normal high water line of any great pond or river and more than 250 feet from the upland edge of a coastal or freshwater wetland as defined in Title 38, section 436-A, a plan showing the division of the original parcel must be filed by the person creating the 3rd lot with the commission within 60 days of the creation of that lot.

B. A register of deeds may not record any plan depicting these lots within the unorganized and deorganized lands of the State unless the commission's certification that the division qualifies under section 682, subsection 2, paragraph C is evidenced on the plan. The commission must determine whether the plan qualifies under section 682, subsection 2, paragraph C within 15 business days of receipt of the plan.

2 C. A copy of the certified plan must be filed within 30
4 days of certification with the State Tax Assessor and the
6 appropriate registry of deeds in the county in which the
8 land is located.

10 D. Failure to file the plan required by this subsection is
12 a violation of this chapter subject to the penalties
14 provided in section 685-C, subsection 8.'

16 Further amend the bill by inserting before the statement of
18 fact the following:

20 **FISCAL NOTE**

22 The Maine Land Use Regulation Commission will realize some
24 minor costs savings due to the elimination of a reporting
26 requirement.'

28 **STATEMENT OF FACT**

30 This amendment removes a requirement that the Maine Land Use
Regulation Commission report to the Joint Standing Committee on
Energy and Natural Resources on the number and location of
40-acre lots created within its jurisdiction and the subsequent
division of those lots. It also reformats existing requirements
to make them easier to read and follow. This amendment also adds
a fiscal note to the bill.

Filed by Rep. Jacques of Waterville
Reproduced and distributed under the direction of the Clerk of the
House
2/11/92 (Filing No. H-913)