

MAINE STATE LEGISLATURE

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RDS

L.D. 1278

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NATURAL RESOURCES

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STATE OF MAINE
SENATE
120TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 380, L.D. 1278, Bill, "An Act to Implement the Recommendations of the Task Force to Study Growth Management"

Amend the bill by striking out all of section 2.

Further amend the bill in section 4 in paragraph D-4 in the last line (page 2, line 28 in L.D.) by striking out the following: "can be assessed a monetary value" and inserting in its place the following: 'is more than 1/2 the assessed value of the real estate'

Further amend the bill by striking out all of section 5 and inserting in its place the following:

'Sec. 5. 30-A MRSA §4401, sub-§4, ¶H, as enacted by PL 1989, c. 104, Pt. A, §45 and Pt. C, §10, is repealed and the following enacted in its place:

H. Nothing in this subchapter may be construed to prevent a municipality from enacting an ordinance under its home rule authority that:

(1) Expands the definition of subdivision to include the division of a structure for commercial or industrial use; or

(2) Otherwise regulates land use activities.

A municipality may not enact an ordinance that expands the definition of subdivision except as provided in this subchapter.'

Further amend the bill by striking out all of sections 7 to 10.

SUMMARY

The amendment deletes the proposed changes to the 40-acre lot exemption in the subdivision law. The amendment also provides that, under the subdivision law, a division accomplished by gift to a relative is not exempt from subdivision review if the consideration given is more than 1/2 of the assessed value of the real estate. It clarifies that the authority of a municipality to expand the definition of subdivision is limited to the expansion currently specified in law. It deletes the proposed requirement regarding differing lot size or setback ordinances for subdivisions and nonsubdivisions. It deletes all appropriation sections of the bill.