

# MAINE STATE LEGISLATURE

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# 128th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2017

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Legislative Document

No. 628

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H.P. 444

House of Representatives, February 16, 2017

### An Act To Amend the Municipal Subdivision Laws

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Reference to the Committee on Environment and Natural Resources suggested and ordered printed.

*Robert B. Hunt*  
ROBERT B. HUNT  
Clerk

Presented by Representative FREDETTE of Newport.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 30-A MRSA §4401, sub-§4, ¶D-6**, as amended by PL 2013, c. 126, §1,  
3 is further amended to read:

4 D-6. A division accomplished by the transfer of any interest in land to the owners  
5 of land abutting that land does not create a lot or lots for the purposes of this  
6 definition, unless the intent of the transferor is to avoid the objectives of this  
7 subchapter. ~~If the real estate exempt under this paragraph is transferred within 5~~  
8 ~~years to another person without all of the merged land, then the previously exempt~~  
9 ~~division creates a lot or lots for the purposes of this subsection.~~

10 **SUMMARY**

11 This bill amends the law that defines a "subdivision." Current law provides that a  
12 subdivision is not created by the transfer of any interest in land to the owners of land  
13 abutting that land, unless the intent of the transferor is to avoid the objectives of the law  
14 governing subdivisions. The provision, however, qualifies this exclusion and provides  
15 that a subdivision is created if the land that was transferred is again transferred within 5  
16 years to another person without all of the merged land; this bill removes this additional  
17 qualification.