

# MAINE STATE LEGISLATURE

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**LAWS**

OF THE

**STATE OF MAINE**

AS PASSED BY THE

ONE HUNDRED AND TWELFTH LEGISLATURE

**SECOND REGULAR SESSION**  
January 8, 1986 to April 16, 1986

**SECOND SPECIAL SESSION**  
May 28, 1986 to May 30, 1986

AND AT THE

**THIRD SPECIAL SESSION**  
October 17, 1986

PUBLISHED BY THE DIRECTOR OF REVISOR OF STATUTES IN  
ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,  
TITLE 3, SECTION 163-A, SUBSECTION 4.

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J.S. McCarthy Co., Inc.  
Augusta, Maine

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**PUBLIC LAWS**  
OF THE  
**STATE OF MAINE**

AS PASSED AT THE  
SECOND REGULAR SESSION  
of the  
ONE HUNDRED AND TWELFTH LEGISLATURE  
1985

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support arrears pursuant to Title 19, chapter 7, subchapter V or Title 19, chapter 14-A.

Effective July 16, 1986.

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## CHAPTER 653

H.P. 1596 - L.D. 2247

AN ACT Permitting Municipalities to Require  
that a Payment on Taxes be Applied  
Toward the Oldest Outstanding Taxes.

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

36 MRSA §906 is enacted to read:

§906. Application of payments to unpaid taxes

The municipal officers of a municipality may, upon request of the municipal treasurer or the tax collector, require that any tax payment received from an individual as payment for any property tax be applied against outstanding or delinquent taxes due on that property in chronological order beginning with the oldest unpaid tax bill. Taxes may not be applied to a period for which an abatement request or appeal has not been resolved unless approved in writing by the taxpayer.

Effective July 16, 1986.

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## CHAPTER 654

H.P. 872 - L.D. 1229

AN ACT to Bring into Conformity Municipal and  
State Subdivision Laws.

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

38 MRSA §482, sub-§5, as amended by PL 1983, c. 788, §§1 to 3, is further amended to read:

5. Subdivision. A "subdivision" is the division of a parcel of land into 5 or more lots to be offered

for sale or lease to the general public during any 5-year period if such lots make up an aggregate land area of more than 20 acres except for the following:

A. All the lots are at least 10 acres in size;

B. All the lots are at least 5 acres, and the municipality has adopted additional regulations governing subdivisions pursuant to Title 30, section 4956, and the lots less than 10 acres are of such dimensions as to accommodate within the boundaries of each a rectangle measuring 200 feet and 300 feet, which abuts at one point the principal access way or the lots have at least 75 feet of frontage on a cul-de-sac which provides access;

C. All the lots are at least 5 acres, but do not make up a total of more than 100 acres and the lots less than 10 acres are of such dimensions as to accommodate within the boundaries of each a rectangle measuring 200 feet and 300 feet, which abuts at one point the principal access way or the lots have at least 75 feet of frontage on a cul-de-sac which provides access;

D. Unless intended to circumvent this Article, the following transactions shall not be considered lots offered for sale or lease to the general public:

(1) Sale or lease of lots to an abutting owner or to a spouse, child, parent, grandparent or sibling of the developer; or

(2) Personal, nonprofit transactions, such as the transfer of lots by gift or devise;  
or

E. In those subdivisions which would otherwise not require site location approval, unless intended to circumvent this Article, the following transactions shall not, except as hereinafter provided, be considered lots offered for sale or lease to the general public:

(1) Sale or lease of mainland lots of 1/2 acre or less in size which serve as parking lots and points of access to the water by boats for island property owners; and

(2) Sale or lease of common lots created with a conservation restriction as defined in Title 33, section 667.

These exceptions shall not apply, and the subdivision will require site location approval, whenever the use of a lot described in subparagraph (1) or (2) changes or the lot is offered for sale or lease to the general public without the limitations set forth in subparagraph (1) or (2);

F. For the purposes of this subsection, a parcel of land is defined as all contiguous land in the same ownership, provided that lands located on opposite sides of a public or private road shall be considered each a separate parcel of land unless that road was established by the owner of land on both sides of the road subsequent to January 1, 1970;

G. Lots of 40 or more acres shall not be counted as lots; or

H. Five years after a subdivider establishes a single-family residence for his own use on a lot and actually uses the lot for that purpose during that period, that lot shall not be counted as a lot.

Effective July 16, 1986.

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## CHAPTER 655

S.P. 668 - L.D. 1722

### AN ACT to Improve Enforcement of the Potato Branding Law.

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

Sec. 1. 7 MRSA §952, as amended by PL 1985, c. 5, is further amended to read:

#### §952. Branding

It shall be unlawful for any person, firm, association, organization or corporation, or agent, representative or assistant to any person, firm, association, organization or corporation to expose for sale, or sell, at wholesale or retail, to ship, deliver or consign or have in possession potatoes prepared for market unless in containers which have been legibly and conspicuously tagged, branded, labeled or