



# 126th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2013

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Legislative Document

No. 966

H.P. 680

House of Representatives, March 12, 2013

### An Act To Clarify an Exemption to the Municipal Subdivision Laws

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

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative MORIARTY of Cumberland.  
Cosponsored by Senator KATZ of Kennebec and  
Representatives: CAREY of Lewiston, CROCKETT of Bethel, GRAHAM of North Yarmouth,  
HOBBINS of Saco, PRIEST of Brunswick.

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 enacted by PL 2001, c. 359, §3, is  
3 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 ~~that does not create a separate lot~~ does not create a lot or  
6 lots for the purposes of this definition, unless the intent of the transferor is to avoid  
7 the objectives of this subchapter. If the real estate exempt under this paragraph is  
8 transferred within 5 years to another person without all of the merged land, then the  
9 previously exempt division creates a lot or lots for the purposes of this subsection.

10 **SUMMARY**

11 This bill clarifies an exemption to the definition of "subdivision" for purposes of  
12 planning and land use regulation. This bill specifies that a parcel of land created by a  
13 division that is transferred to an owner abutting that parcel is not subject to municipal  
14 review and regulation.