



128th MAINE LEGISLATURE

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Legislative Document

No. 1081

H.P. 759

House of Representatives, March 21, 2017

**An Act To Amend the Municipal Subdivision Laws Regarding the
Exemption for Transfers to Owners of Abutting Land**

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

Robert B. Hunt

ROBERT B. HUNT
Clerk

Presented by Representative DENNO of Cumberland.
Cosponsored by Representative: CHACE of Durham.

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

10 **SUMMARY**

11 Current law provides an exemption to the laws governing subdivisions for a division
12 of a tract or parcel of land accomplished by the transfer of any interest in the land to the
13 owners of land abutting that land and removes that exemption if the exempt real estate is
14 transferred within 5 years to another person without all of the merged land. This bill
15 eliminates the language that provides for the removal of the exemption.