

Date:

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HOUSING AND ECONOMIC DEVELOPMENT

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STATE OF MAINE HOUSE OF REPRESENTATIVES 132ND LEGISLATURE SECOND REGULAR SESSION

COMMITTEE AMENDMENT “ ” to H.P. 94, L.D. 161, “Resolve, Directing the Department of Agriculture, Conservation and Forestry to Convene a Stakeholder Group Tasked with a Comprehensive Overhaul and Modernization of the State Subdivision Laws”

Amend the resolve by striking out the title and substituting the following:

'Resolve, Directing the Maine Office of Community Affairs to Convene a Working Group Tasked with a Comprehensive Overhaul and Modernization of Maine's Subdivision Laws'

Amend the resolve by striking out everything after the title and inserting the following:

'Sec. 1. Maine Office of Community Affairs to establish working group; purpose. Resolved: That the Maine Office of Community Affairs, established in the Maine Revised Statutes, Title 5, section 3202, shall convene and administer a working group composed of representatives from the Maine Office of Community Affairs, the Department of Agriculture, Conservation and Forestry and the Department of Environmental Protection to review the subdivision laws in Title 12, chapter 206-A; Title 30-A, chapter 187, subchapter 4; and Title 38, chapter 3, subchapter 1, article 6. The purpose of the review is to make recommendations on how to overhaul and modernize the regulation of residential, commercial and industrial development.

Sec. 2. Commissioners to assign representatives. Resolved: That the Commissioner of Agriculture, Conservation and Forestry and the Commissioner of Environmental Protection shall assign one or more employees to represent their respective departments as members in the working group established pursuant to section 1. An assigned employee must have experience and knowledge relevant to the purpose of the working group and the working group's assigned tasks as specified in section 3.

Sec. 3. Working group tasks. Resolved: That the working group established pursuant to section 1 shall, within existing resources, undertake the following tasks with respect to the State's subdivision laws:

1. Develop recommendations on how to overhaul and consolidate the subdivision laws in a manner that reduces inconsistencies and ambiguities;
2. Develop recommendations on how to streamline the application processes under the subdivision laws; and
3. Identify policy conflicts, opportunities to clarify policies and ways to promote improved outcomes for housing, economic development, conservation and other matters identified by the working group.

If the working group is unable to achieve consensus on any finding or recommendation identified through its work, the working group shall include in the report required in section 6 an explanation of the issue lacking consensus, the possible solutions to the issue and the areas of disagreement.

Sec. 4. Consultation. Resolved: That the working group established pursuant to section 1 shall consult and engage persons with knowledge of and experience with the State's subdivision laws, including, but not limited to:

1. Land surveyors;
2. Civil engineers;
3. Code enforcement officers;
4. Municipal government officials who are responsible for interpreting subdivision law and represent different geographic areas of the State and municipalities of varying population sizes;
5. Regional planning agencies;
6. Real estate developers;
7. Commercial and residential builders;
8. The Maine Redevelopment Land Bank Authority established in the Maine Revised Statutes, Title 30-A, section 5154;
9. Community land trusts engaged in affordable housing development;
10. Organizations engaged in environmental preservation and conservation; and
11. Attorneys admitted to the Maine Bar with experience in subdivision law.

Sec. 5. Work plan; public comment; submission to committees. Resolved: That the working group established pursuant to section 1 shall develop a work plan for completing the tasks required by this resolve. The working group shall solicit public comments on a draft work plan after posting the draft work plan on the publicly accessible websites of the Maine Office of Community Affairs, the Department of Agriculture, Conservation and Forestry and the Department of Environmental Protection. By November 4, 2026, the working group shall prepare a final work plan and shall submit it to the Joint Standing Committee on Housing and Economic Development. By January 1, 2027, the working group shall submit the final work plan to the joint standing committee of the Legislature having jurisdiction over housing matters.

Sec. 6. Report. Resolved: That, by February 15, 2027, the Maine Office of Community Affairs, on behalf of the working group established pursuant to section 1, shall submit a report that includes the working group's findings and recommendations, including

1 suggested legislation, to the joint standing committees of the Legislature having
2 jurisdiction over subdivision law matters under the Maine Revised Statutes, Title 12,
3 chapter 206-A; Title 30-A, chapter 187, subchapter 4; and Title 38, chapter 3, subchapter
4 1, article 6. The joint standing committees that receive the report may report out legislation
5 related to the report to the 133rd Legislature in 2027.'

6 Amend the resolve by relettering or renumbering any nonconsecutive Part letter or
7 section number to read consecutively.

8 SUMMARY

9 This amendment replaces the resolve and changes the title. It directs the Maine Office
10 of Community Affairs to convene and administer a working group to overhaul and
11 modernize Maine's subdivision laws found in the Maine Revised Statutes, Title 12, chapter
12 206-A; Title 30-A, chapter 187, subchapter 4; and Title 38, chapter 3, subchapter 1, article
13 6. The Department of Agriculture, Conservation and Forestry and the Department of
14 Environmental Protection are required to participate in the working group. The working
15 group is required to make findings and recommendations on how to overhaul and
16 modernize the subdivision laws, develop recommendations to streamline the application
17 processes under the subdivision laws and identify policy conflicts, opportunities to clarify
18 policies and ways to promote improved outcomes for housing, economic development,
19 conservation and other matters. If the working group is unable to achieve consensus on
20 any issue identified in its work, the working group must include in its required report an
21 explanation of the issue, the possible solutions to the issue and the areas of disagreement.
22 The working group is required to complete this work using existing resources.

23 The working group is required to draft a work plan on how it will accomplish its tasks,
24 post a copy of the draft work plan on publicly accessible agency websites and solicit public
25 comment on the draft. A final work plan must be submitted to the Joint Standing
26 Committee on Housing and Economic Development by November 4, 2026 and to the joint
27 standing committee of the Legislature with jurisdiction over housing matters by January 1,
28 2027. By February 15, 2027, the working group must submit a report with its findings,
29 recommendations and any suggested legislation to the joint standing committees of the
30 Legislature having jurisdiction over subdivision law matters. The committees that receive
31 the report are authorized to introduce legislation related to the report to the 133rd
32 Legislature in 2027.

33 FISCAL NOTE REQUIRED

34 (See attached)