

3 **HOUSING AND ECONOMIC DEVELOPMENT**

4 Reproduced and distributed under the direction of the Clerk of the House.

5 **STATE OF MAINE**
6 **HOUSE OF REPRESENTATIVES**
7 **132ND LEGISLATURE**
8 **SECOND REGULAR SESSION**9 COMMITTEE AMENDMENT " " to H.P. 94, L.D. 161, "Resolve, Directing the
10 Department of Agriculture, Conservation and Forestry to Convene a Stakeholder Group
11 Tasked with a Comprehensive Overhaul and Modernization of the State Subdivision Laws"

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

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

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

17 **'Sec. 1. Maine Office of Community Affairs to establish working group;**
18 **purpose. Resolved:** That the Maine Office of Community Affairs, established in the
19 Maine Revised Statutes, Title 5, section 3202, shall convene and administer a working
20 group composed of representatives from the Maine Office of Community Affairs, the
21 Department of Agriculture, Conservation and Forestry and the Department of
22 Environmental Protection to review the subdivision laws in Title 12, chapter 206-A; Title
23 30-A, chapter 187, subchapter 4; and Title 38, chapter 3, subchapter 1, article 6. The
24 purpose of the review is to make recommendations on how to overhaul and modernize the
25 regulation of residential, commercial and industrial development.26 **Sec. 2. Commissioners to assign representatives. Resolved:** That the
27 Commissioner of Agriculture, Conservation and Forestry and the Commissioner of
28 Environmental Protection shall assign one or more employees to represent their respective
29 departments as members in the working group established pursuant to section 1. An
30 assigned employee must have experience and knowledge relevant to the purpose of the
31 working group and the working group's assigned tasks as specified in section 3.32 **Sec. 3. Working group tasks. Resolved:** That the working group established
33 pursuant to section 1 shall, within existing resources, undertake the following tasks with
34 respect to the State's subdivision laws:

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

8 If the working group is unable to achieve consensus on any finding or recommendation
9 identified through its work, the working group shall include in the report required in section
10 6 an explanation of the issue lacking consensus, the possible solutions to the issue and the
11 areas of disagreement.

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

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

29 **Sec. 5. Work plan; public comment; submission to committees. Resolved:**
30 That the working group established pursuant to section 1 shall develop a work plan for
31 completing the tasks required by this resolve. The working group shall solicit public
32 comments on a draft work plan after posting the draft work plan on the publicly accessible
33 websites of the Maine Office of Community Affairs, the Department of Agriculture,
34 Conservation and Forestry and the Department of Environmental Protection. By
35 November 4, 2026, the working group shall prepare a final work plan and shall submit it
36 to the Joint Standing Committee on Housing and Economic Development. By January 1,
37 2027, the working group shall submit the final work plan to the joint standing committee
38 of the Legislature having jurisdiction over housing matters.

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

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

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

SUMMARY

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

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

FISCAL NOTE REQUIRED

(See attached)