

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-SIX

—
H.P. 94 - L.D. 161

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

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 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.