



Legislative Update: May 14, 2021

Legislative committees are meeting over Zoom, doing the work of conducting public hearings to gain input on bills and then work sessions to take action on those bills. We continue to track about twenty bills of interest with relevance to our mission and where GrowSmart Maine's unique voice can provide meaningful content.

You can read all our testimony [here](#)

Here's an update from this week, including a link to watch committee proceedings.

The House and Senate delayed reconvening due to two positive COVID tests among members, and now plan to convene next Wednesday, May 19th. Committees must report out all bills by May 21st.

GrowSmart Maine supports policies, programs and projects that define and protect the value of our unique built and natural places while supporting long term economic opportunity and we narrow our advocacy to those bills where [our unique voice has potential to improve outcomes of the legislative process.](#) **And wow, did we nail it this week!**

Our testimony improved outcomes, allowing Tiny Houses to be located wherever single family homes are permitted (LD 1530) and we are finalizing an amendment to LD 1312 with Maine Municipal Assn that would allow accessory dwelling units as well. **This is a big deal.** [There is no single solution to addressing Maine's housing gap, but these two bills provide immediate strategies that increase housing choices.](#)

Complex bills are the most challenging to address, and we dove in on [LD 1694](#) this week. I worked with a subgroup of our board over the past several months as the bill evolved, finding points of agreement where we could in a transparent, respectful, and thoughtful manner. I'm really proud of GrowSmart for this! We fully support creating the institutional infrastructure to allow **local, regional, and state-level land banks** because they too are a strategy that can increase housing choices AND bring abandoned industrial sites into productive use and back on municipal tax rolls. **Our support for the bill includes significant caveats and concerns** related to the proposed design of that institutional infrastructure and with the Development Ready Community program that seems, at least to some of us at GrowSmart, to be overly complex, restrictive, and potentially exclusionary. More about that below. Our testimony made a big difference in how the committee will review this bill, as we recommended conferring with two other committees for related bills, LDs [446](#), [1240](#), and [1246](#).

Before getting to the specific bills this week, a word about broadband and the proposed Connectivity Authority. If you are reading a weekly advocacy update, no doubt you also read the news about Gov. Mills' proposal to create a substantial agency that is designed to take a more



active role in public broadband investments. [LD 1484](#) is still in the works, and you can read testimony from the Maine Broadband Coalition [here](#). *“We should all be concerned about how we will sustain, maintain and oversee the public infrastructure. This bill not only enables the Authority to generate funding for proactive investments, necessary maintenance and operations but also accountability to manage the investments that are central to the public-private partnerships necessary to provide high-speed internet in all communities.”*

You too can watch live or recorded committee work as each committee has a dedicated YouTube *channel*. *You can search [here](#) to watch the committee process live or to watch recordings of prior public hearings and work sessions.*

Two Public Hearings This Week:

We provided qualified support of a bill that would set up the institutional infrastructure for bank banks useful to redeveloping abandoned sites, and full support of a bill that would require the Public Utilities Commission to consider factors beyond consumer pricing in their rulemaking.

[LD 1694](#) "An Act To Create the Maine Redevelopment Land Bank Authority"

Sponsored by Representative Melanie Sachs ***Bill Summary: This bill establishes the Community Redevelopment Land Bank Authority to coordinate the acquisition of blighted, abandoned and environmentally hazardous or functionally obsolete property for redevelopment. The bill establishes a fee on the disposal of construction and demolition debris. The bill also establishes a Development Ready Community Planning Committee for the purposes of establishing statewide community redevelopment guidelines.***

In our testimony, we strongly support creation of land bank capacity at local, regional, and state levels. This is a powerful tool in redeveloping old mill sites and even abandoned homes. However, we raised concerns about the need for and value of the statewide development guidelines as a primary focus for community development along with concerns of maintaining local authority over eminent domain. We encouraged this committee to coordinate with two other committees that have already heard related bills, LD 446 and LD 1240 and LD 1246. There is a work session scheduled for next Tuesday morning.

[LD 1682](#) "An Act To Require Consideration of Climate and Equity Impacts by the Public Utilities Commission"

Sponsored by Representative Victoria Doudera ***Bill Summary: This bill adds to the purposes of the Public Utilities Commission the reduction of greenhouse gas emissions and the mitigation of disproportionate energy burdens on environmental justice populations, frontline communities and utility customers who are underserved by utility or electricity policies, programs and systems due to geography, race, income or other socioeconomic factors. It also requires the commission to aid in the facilitation of the achievement of the greenhouse gas emissions reduction and to prioritize advancing decarbonization in the utility sector.***

We noted in our written support for this bill It makes sense from economic, community and environmental perspectives to incorporate into the PUC's mandate consideration for reducing greenhouse gas emissions and compliance with Maine's climate statute, equity, and



environmental justice in its decision-making. While just and reasonable rates and safe and reliable services are essential components of utility services, equity, environmental justice and climate change can no longer be dismissed.

Follow Up On Last Week's Hearings: Further Committee Action:

[LD 1312 "An Act To Remove Barriers to Accessory Dwelling Units and Allow Accessory Dwelling Units where Single-family Houses Are Allowed"](#) sponsored by Rep. Geiger. **Bill Summary:** *This bill requires municipalities to allow one accessory dwelling unit on the same lot as a single-family dwelling unit and outlines certain limits to restrictions a municipality can place on tiny houses. It also addresses inspection requirements.*

In our testimony, we noted that accessory dwelling units (ADUs) as a valuable component of a community's effort to provide housing choices. ADUs offer a relatively straight forward, affordable option for accommodating housing needs that evolve from starter housing to aging-in place over a lifetime. We also highlighted one of our Community Guides, [Accessory Apartments, An Affordable Housing Strategy](#), provides ADU guidance for municipalities and links to our [ADU Ordinance Overview](#). provides valuable information on this topic. While we support the bill, we acknowledge likely opposition as it is a municipal mandate. We also offered specific recommendations on setbacks, allowing short term rentals, and owner occupancy.

THIS WEEK: The committee on Labor and Housing voted to move the bill forward with a significant amendment, resulting in strong committee support of language for which we are working with Maine Municipal Association. The amended bill will allow ADUs where single family dwellings are allowed, and require owner occupancy of either the primary or accessory dwelling. There is still tension around the ability for municipalities to limit or disallow short term rentals of either as MMA and GrowSmart agree that retaining this ability is important to how well ADUs are accepted in communities but committee discussion led to disallowing this municipal authority.

[LD 1530 "An Act To Allow People To Live in Tiny Homes as a Primary or Accessory Dwelling"](#) Sponsored by Representative David McCrea
Bill Summary: *This bill establishes standards for municipalities to follow regarding tiny homes, which are structures no larger than 400 square feet constructed on a frame or chassis and designed for use as permanent living quarters. The bill allows municipalities to set rules for tiny homes that are less restrictive than state law, allows tiny homes on undeveloped and developed housing lots, allows municipal inspection of certain features of tiny homes and provides for tiny homes to be assessed for property tax purposes after 180 days in certain circumstances.*

In our support for this bill, we noted that Tiny Houses are a unique and creative option that offers affordable housing, encourages diversity and strengthens a community and neighborhood. Much like our support of accessory dwelling units in LD 1312, our enthusiasm for this bill does not negate



our respect for local control. This committee and the full Legislature must wrestle with whether the issue of housing choices in Maine has reached the point that this bill and LD 1312 are necessary. We think this bill is part of an overall housing choices strategy, and support the bill as presented."

THIS WEEK The committee on State and Local Government reported out strong support for an amended version of the bill, including a definition and allowing tiny houses to be located where a municipality allows a single family dwelling, so long as it complies with land use and zoning ordinances. Maine Municipal Association and the bill sponsor agreed to this amendment. We support it, as it ties closely to our testimony.

OPEGA's review of the Maine Historic Rehabilitation Tax Credit: This week, the [Office of Program Evaluation and Government Accountability](#) presented their parameters for evaluating the impact of Maine's historic rehabilitation tax credit. Through the Maine Alliance for Smart Growth and with MEREDA, we brought forward recommendations that we accepted by OPEGA and we are excited to see the evaluation move forward. To learn more, check out the [Maine Historic Tax Credit Economic Impacts Report](#) produced through efforts of GrowSmart Maine, Maine Preservation, MEREDA, CEI, Greater Portland Landmarks and Genesis Loan Fund.

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Partnerships: In addition to the Maine Alliance for Smart Growth, we are working with two other collaborative efforts this session: We have joined **Climate Maine** to review and prioritize legislative proposals that fall within our policy priorities to ensure our advocacy is effectively coordinated with others. In addition we continue to lead the policy work of the [Maine Broadband Coalition](#), which will focus on several key funding and policy bills. Check out the [Broadband Policy Page](#) for testimony, value propositions for each committee, and recordings of the Broadband Caucus!

How can you engage?

We'll keep you posted on bills as they are printed and work their way through the legislative session, and invite you to participate as you are comfortable. You can offer written or oral testimony for any bill, and track its progress on the Maine Legislature's website <http://legislature.maine.gov/>

You can watch live or recorded committee work as each committee has a dedicated YouTube *channel*. **You can search [here](#) to watch the committee process live or to watch recordings of prior public hearings and work sessions.** From the Legislature's website, you can find Your Senator on the [here](#) and your State Representative [here](#).