



## Housing Choices Legislation in the 130th Legislature; So far!

While the work of the legislature is nearly complete and they are in recess this week, GrowSmart Maine is sharing this update on bills related to land use and housing choices. This summary was prepared for our June 22nd, webinar, "[Securing Housing Choices for a Well-Rounded Community](#)," presented as part of our participation in the [Southern Kennebec Working Communities Challenge](#).

*We've arranged them based on topical area, and for each we noted its current status; either already/about to become law, or awaiting funding. These funding decisions are happening now, with decisions to be made in time for the return of the Legislature on June 30th to address final budgetary issues including the Governor's proposed changes to the biennial budget, bond proposals, and funding of bills and studies. NOW is a great time to contact your State Senator and State Representative and ask that they share your support for these bills with their peers in leadership and on the Appropriations Committee. From the Legislature's website, you can find Your Senator on the [here](#) and your State Representative [here](#)*

### **Tiny Houses and Accessory Dwelling Units in every Municipality!**

Every municipality will be required to allow Tiny Houses and Accessory Dwelling Units (ADUs) with some level of municipal oversight. [GrowSmart Maine supported both of these bills while recommending changes and we fully support the amended versions.](#)

**[LD 1312](#)** An Act To Remove Barriers to Accessory Dwelling Units (AUDs) and Allow Accessory Dwelling Units where Single-family Houses Are Allowed ***received unanimous support in committee, though was later amended in the House. It is on the Special Appropriations Table with a small fiscal note to address potential state reimbursement for municipal costs.*** As amended, this bill requires municipalities to allow one accessory dwelling unit as long as the unit complies with minimum shoreland zoning guidelines adopted by the Department of Environmental Protection, subject to locally adopted accessory dwelling unit land use requirements, and either the primary or accessory dwelling is owner-occupied. It prohibits a municipality from adopting an ordinance or regulation that circumvents the requirement.

**[LD 1530](#)**: An Act To Allow People To Live in Tiny Homes as a Primary or Accessory Dwelling ***did not receive unanimous support in committee, has passed in the House and Senate and has been signed by the Governor.*** As amended, this bill provides that municipalities shall permit a tiny home to be placed or erected on an individual house lot where single-family

dwellings are allowed or as an accessory structure, subject to all applicable land use requirements as single-family dwellings or as an accessory structure.

Note: A tiny home is defined within MaineDOT statute as follows:

80-C. Tiny home. "Tiny home" means a living space permanently constructed on a frame or chassis and designed for use as permanent living quarters that:

- A. Complies with American National Standards Institute standard A 119.5 on plumbing, propane, fire and life safety and construction or National Fire Protection Association standard 1192 on plumbing, propane and fire and life safety for recreational vehicles;
- B. Does not exceed 400 square feet in size;
- C. Does not exceed any dimension allowed for operation on a public way under this Title; and
- D. Is a vehicle without motive power.

"Tiny home" does not include a trailer, semitrailer, camp trailer, recreational vehicle or manufactured housing.

### **Extending Maine's Historic Rehabilitation Tax Credit!**

**GrowSmart Maine fully supports this bill through our leadership in the Maine Alliance for Smart Growth.**

**LD 201** An Act To Reduce Greenhouse Gas Emissions and Promote Weatherization in the Buildings Sector by Extending the Sunset Date for the Historic Property Rehabilitation Tax Credit ***received unanimous support in committee, has passed in the House and Senate and is on the Special Appropriations Table*** recognizing the fiscal impact beginning in fiscal year 2026-27. This bill extends the end date of this historic property rehabilitation tax credit from Dec. 31st 2025 to Dec. 31st, 2040.

### **Addressing Rental Challenges**

**GrowSmart Maine did not testify on these bill, though as a member of the Maine Affordable Housing Coalition, which supported LD 1508 we note their connection to the work of the Southern Kennebec Working Communities Challenge**

**LD 473** An Act To Create the Maine Rental Assistance and Voucher Guarantee Program ***came out of committee without unanimous support, passed in the House and Senate, and is on the Special Appropriations Table*** with a \$9 million fiscal note. The amendment majority report establishes the Maine Rental Assistance and Guarantee Program within the Maine State Housing Authority. The program provides rental assistance to qualified tenants and provides housing navigation services and includes a guarantee program to encourage landlords to work with rental assistance programs. The amendment also creates the Maine Rental Assistance and Guarantee Program Fund to carry out the program. The amendment includes an ongoing nonlapsing General Fund appropriation of \$9,000,000 per year.

**LD 1508** An Act To Prevent Homelessness by Establishing an Eviction Mediation Program **came out of committee without unanimous support and has been enacted in the House and Senate and is awaiting Governor's signature.** As amended, this bill retains the requirement that the landlord attach the one-page to 2-page form providing information to the tenant when the landlord serves the eviction summons and complaint on the tenant. MaineHousing intends to provide resources for anticipated increase in legal representation for low-income individuals in forcible entry and detainer actions.

## Getting to the Root of the Problem: Studies and Commissions

**Studies and Commissions for 2021: [GrowSmart Maine fully supported three Resolves lined up to move forward this year, and plans to engage as the studies move forward.](#)**

**LD 609** Resolve, To Establish a Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions **came out of committee with unanimous support, passed in the House and Senate and signed by the Governor.** This resolve creates the Commission to Study Best Practices and Different Area Needs for Development of Affordable Homes and Expanding Home Ownership in Maine Communities. The commission has 13 members consisting of Legislators and others with interest or experience in affordable housing and financing in the State. The commission is required to submit its report to the joint standing committee of the Legislature having jurisdiction over labor and housing matters no later than December 7, 2022.

**LD 446** Resolve, *Establishing the Commission To Research and Recommend Solutions for Regional and Municipal Planning* **came out of committee without unanimous support, passed in the House and Senate, and is currently awaiting funding on the Special Study Table.** This resolve establishes a 15-member commission to research and recommend solutions to promote, coordinate and provide direct support for comprehensive and sustainable municipal and regional planning. The commission is required to submit a report to the joint standing committee of the Legislature having jurisdiction over state and local government matters by December 31, 2022.

**LD 1246** Commission to Study Best Practices and Different Area Needs for Development of Affordable Homes and Expanding Home Ownership in Maine Communities **came out of committee without unanimous support, passed in the House and Senate, and currently awaiting funding on the Special Study Table.** This resolve creates the Commission to Study Best Practices and Different Area Needs for Development of Affordable Homes and Expanding Home Ownership in Maine Communities. The commission has 15 members consisting of Legislators and others with interest or experience in affordable housing and financing in the State. The commission is required to submit its report to the joint standing committee of the Legislature having jurisdiction over labor and housing matters no later than December 1, 2021.

## **Bills and Resolves Carried Over until 2022 Legislative Session:**

**GrowSmart Maine supports the land bank infrastructure portion of this bill, though with serious reservations around the Redevelopment Commission also proposed here.**

**LD 1694 An Act To Create the Maine Redevelopment Land Bank Authority** 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, including property identified as historic but not including real property owned by a federally recognized Indian tribe, unimproved land or an active or former military facility. The bill establishes a fund to support the purpose of the authority, which includes as a source of revenue a fee on the disposal of construction and demolition debris. The bill also authorizes the creation of municipal redevelopment authorities to work with the Community Redevelopment Land Bank Authority for the purpose of transferring property and coordinating redevelopment. The Community Redevelopment Land Bank Authority is required to establish a Development Ready Community Planning Committee for the purposes of establishing statewide community redevelopment guidelines.

**GrowSmart Maine worked with the sponsor to submit this Resolve, which is an outcome of our Summit 2020.**

**LD 1240 Resolve, To Review Barriers to Regional Solutions for Housing Choices** This resolve directs the Department of Economic and Community Development, Office of Community Development to conduct a review of barriers to regional solutions to making housing affordable, accessible, available, functional and compatible with strategies outlined in the December 2020 climate action plan of the Maine Climate Council, "Maine Won't Wait: A Four-year Plan for Climate Action." It directs the office to report to the Joint Standing Committee on Labor and Housing by December 1, 2021 with a summary of these barriers, their implications and potential solutions.

**GrowSmart Maine has not weighed in on this bill as there was no public hearing in 2021.**

**LD 1673 An Act To Create a Comprehensive Permit Process for the Construction of Affordable Housing** This bill establishes a comprehensive permit process to streamline the building construction permitting system and promote the creation of additional affordable housing by public agencies, nonprofit organizations and limited dividend organizations.. Modeled on MA's 40R program, it would provide state aid to communities that create smart growth overlays to encourage affordable housing. However, the MA program has been described as a blunt tool with risk of unintended consequences.