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Testimony in Opposition of LD 2204-An Act to Combat Racketeering in Scheduled Drugs by Certain Organizations

**J. Andrew Cashman on behalf of the Maine Association of REALTORS®
February 21, 2024**

Senator Beebe-Center, Representative Sailsbury and members of the Joint Standing Committee on Criminal Justice and Public Safety, my name is Andy Cashman. I am the Founder of Resolve Government Relations. We represent the Maine Association of REALTORS®, a professional trade association established in 1936 with over 6,500 members statewide. REALTORS® grow Maine's economy, build Maine communities, and advocate for the protection of private property rights. Our members represent buyers and sellers involved in both residential and commercial real estate transactions. Our membership also includes industry affiliates, such as lenders, closing agents, title agents, appraisers, building inspectors, surveyors, etc. The Maine Association is chartered by the National Association of REALTORS® (NAR), the largest trade association in the country.

The Maine Association of REALTORS® opposes LD 2204, in part, because it would prohibit citizens of certain countries who are not legal permanent residents of the United States from purchasing or acquiring real estate in Maine (Section 3). This categorical exclusion would violate both state and federal fair housing laws, which prohibit discrimination based on national origin and race. There is also added concern about the discriminatory impact of the bill because sellers might inappropriately decline to show properties to individuals from specified nationalities to ensure they do not engage in a prohibited transaction.

We support the fundamental right of one's ability to acquire, occupy, use and dispose of real property as they choose within the law and states should not enact laws that impinge on that right. We believe that the free market should govern real estate transactions and we therefore oppose discrimination of any kind in such transactions. In accordance with fair housing laws, we support the rights of lawful foreign citizens to purchase and possess real estate on an equal footing just as we support the right of U.S. citizens to acquire and own property abroad. The bill's restriction on property ownership could significantly deter foreign investment and adversely impact not only the real estate industry in Maine but also our broader state economy.

Furthermore, we are also concerned about the negative implications of the bill's provision which would require a permit to install or upgrade to 400-ampere or more electrical service in residential buildings (Section 2). We believe the permit requirement would likely extend far beyond the scope of the intended criminal activity the bill is targeting. There could be a variety of lawful reasons why a residential property owner requires 400-ampere or more electrical usage such as agricultural, mechanical or other home-based business operation purposes. In



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addition, the expansion of residential electrification (including electrical utilities, heat pumps and electric vehicle chargers) may result in additional electrical usage requiring 400 ampere or more service. Additional requirements which add to the cost of property ownership and development should be carefully considered. Requiring additional electrical permitting and inspections will add to the overall costs of ownership.

Building safe communities is a cornerstone for the members of the Maine Association of REALTORS[®] and while we recognize the intent behind the criminal component of this bill, we have concerns around it as written. We acknowledge and support the right of all people to freely choose where they will live, regardless of race, color, religion, sex, disability, familial status, ancestry, source of income, sexual orientation, gender identity, or national origin. This right is protected under federal and state fair housing laws. As the stewards of protecting private property and a belief in the right to acquire, occupy, use and dispose of real property, we urge the committee to Vote "Ought not to Pass" on LD 2204. Thank you for your time and consideration.