



# MAINE MUNICIPAL ASSOCIATION **SINCE 1936**

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## **Testimony of the Maine Municipal Association (MMA) In Opposition to**

*LD 1428, An Act to Increase Access to Child Care for Maine Families*

May 15, 2025

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Senator Ingwersen, Representative Meyer and distinguished members of the Joint Standing Committee on Health and Human Services, my name is Amanda Campbell, and I am submitting testimony in opposition to LD 1428 on behalf of the Maine Municipal Association's 70-member Legislative Policy Committee (LPC).

As proposed, LD 1428 aims to preempt local planning decisions by mandating that childcare or family childcare facilities be permitted in areas that are zoned for residential purposes, which municipal officials strongly oppose.

Residents in communities across the state have spent thousands of dollars and hundreds of volunteer hours managing the growth and development of their communities via the adoption of comprehensive plans, zoning maps and ordinances. Through these deliberative processes, which are fully open to the public, communities have taken the steps necessary to prevent incompatible development. While local zoning has been framed as a tool for purposefully preventing development, it is in fact these very tools that allow municipal officials to be mindful of the impacts that differing types of development have on the infrastructure located in particular areas of their communities. Not all communities are alike, nor are all areas within municipal boundaries suitable for all types of development. Those who are most familiar with the layouts of their communities, and the desires among residents, know best and should be entrusted to make those decisions based on the plans and ordinances adopted by the municipality's voters. These processes are the very basis of a community's home rule authority as outlined in the Maine Constitution.

The concern among municipal leaders is that simply assuming that a specific use is compatible within a specified area, through statute and without study or local input, will place additional burdens on municipalities. As proposed in LD 1428, a childcare facility may place additional pressures on water and wastewater systems, increase traffic, and leave town and city officials to address public relations issues.

If this preemption of home rule authority should in fact be the desire of the committee and the legislature, then municipalities should be provided with some sort of compensation in recognition of investments made by the property taxpayers. Without some sort of financial assistance for amending land use ordinances and comprehensive plans, increasing water and wastewater infrastructure capacity and increases to public safety services, those expenses will fall to the already overburdened property taxpayers.

Thank you for your consideration of the municipal perspective on this important topic. Please feel free to contact any member of the LPC or the MMA Advocacy team with any questions relating to municipal operations.