



**MAINE MUNICIPAL
ASSOCIATION SINCE 1936**

60 Community Drive | Augusta, ME 04330-9486

1-800-452-8786 (in state)
(T) 207-623-8428
(F) 207-624-0129

Testimony of the Maine Municipal Association

In Neither For Nor Against

LD 214 – An Act to Amend the Laws Regarding Zoning and Land Use Restrictions to Limit Certain Requirements to Municipalities with a Population of More than 10,000

April 11, 2023

Sen. Pierce, Rep. Gere, and distinguished members of the Housing Committee, my name is Rebecca Graham, and I am providing testimony neither for nor against LD 214 on behalf of Maine Municipal Association which represents the interests of municipal government before the state and federal government. The positions of the Association are formed at the direction of our 70-member Legislative Policy Committee, (LPC) who are elected by the selectboards and council of the municipalities in each of the 35 Senate districts in Maine. As a result, the positions represent a wide view of communities with varying resources, rural and urban, and those with ample local resources as well as those with none.

The population level in LD 214 seems arbitrary and disconnected to other regulatory building requirements such as Maine Uniform Building and Electrical Code (MUBEC) and many communities with population levels below that threshold have already begun the work attempting to meet as many pieces as possible of the legislation enacted last year via LD 2003. Additionally, the date change to October 2023 is still too challenging to meet for many communities who are still town meeting towns above that population threshold like Brunswick without the rules established by the state.

Concerningly, the state must pay for 90% of the costs of the work that communities are already undertaking as a result of LD 2003 because it was not enacted with a mandate preamble and did not receive 2/3 approval to remove that requirement from both legislative bodies. Should LD 214 be enacted, those communities under 10,000 residents who have already started this process will be left without reimbursement for that work.

Again, officials ask for a thorough review of the legislation in its entirety to address the multiple issues that have been identified in statute that additionally have made the rule making process challenging and use LD 665 to enact a delay for the implementation. A piece meal approach to correcting all of the issues with drafting and intent should be addressed collectively, and sensitively, with an eye towards developing statutory language that achieves the original goal.

As both technical and fiscal programs are still not in place, the deadline of October 2023 will not allow all communities to meet such an implementation date regardless of any population threshold.