



**MAINE MUNICIPAL
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Testimony of the Maine Municipal Association

In Opposition to

LD 731 - An Act to Prohibit Municipalities from Barring the Creation of Homeless Shelters

March 19, 2025

Senator Baldacci, Representative Salisbury and members of the State and Local Government Committee, my name is Rebecca Graham, and I am providing testimony in opposition to LD 731 on behalf of the Maine Municipal Association's (MMA) elected 70-member Legislative Policy Committee (LPC). For reference, the LPC guides MMA's advocacy efforts and establishes positions on bills of municipal interest and is comprised of representation from Maine communities both large and small and those with capacity as well as those without capacity.

Municipalities do not wholly enact ordinances that prohibit the creation or operation of a homeless shelter. Officials understand that concern has been created by the use of moratoriums in some communities to evaluate development proposals including those for homeless shelters which have had the net effect of forcing such proposals to seek alternate communities that have welcomed them. However, moratoriums are time limited and during that period the municipalities must make progress in addressing the underlying issues that formed the reason for their use.

As drafted, however, this bill would limit the ability to enforce important life safety measures found in ordinances as the bill specifically states that ordinances could not be enforced if they limit the operation of a homeless shelter. This is deeply concerning as the individuals who use these facilities are extremely vulnerable and should not be placed in operations that are not adequate to allow the safe exit during an emergency or able to provide clean and sanitary living conditions that include adequate access to safe drinking water and wastewater disposal standards.

The Association does not believe that this is the intent of the sponsor but it's important to not restrict municipal authority to make sure facilities serving this population meet necessary federal requirements for funding under the McKinney-Vento Homeless Assistance Act and HUD regulations. Shelters must be physically accessible to people with disabilities, including those who use wheelchairs, must have adequate heating and cooling systems in proper working order, must have working smoke detectors, fire alarm systems designed for hearing-impaired residents, and a second means of exiting the building in case of fire and protect the privacy and confidentiality of guest and their personal information. All of these must be enforced by the municipality, which would be impossible with the bill as drafted.

For these reasons, the Association ask that you consider amending the language that removes enforcement and operation from the bill and consider a higher-level general level change that would ensure a homeless shelter that meets all existing municipal, state, and federal regulations with a nexus to the population that is intended to be served cannot be prohibited.