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THE MAINE SENATE  
132nd Legislature

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Testimony in Support of  
**LD 1132, "An Act to Further Protect Low-impact Landscaping"**  
Before the Joint Standing Committee on Judiciary  
*April 4, 2025*

Senator Carney, Representative Kuhn, and Esteemed Members of the Joint Standing Committee on Judiciary, my name is Mattie Daughtry. I serve as President of the Maine Senate and proudly represent Senate District 23, including Brunswick, Freeport, Harpswell, Pownal, Chebeague Island, and part of Yarmouth.

I'm here today to present LD 1132, "An Act to Further Protect Low-impact Landscaping." I want to thank Representative Henderson for serving as the lead co-sponsor, as well as Representative Sato for lending her support as a co-sponsor. Your partnership on this issue is deeply appreciated. At its core, this bill is about strengthening individuals' rights. Specifically, it ensures that Mainers living in certain communities—such as condominiums or developments governed by homeowner associations—can make decisions about the land surrounding their homes, but that are part of the shared space, often called "limited common elements."

In 2023, we passed LD 649 with strong support. I want to thank this committee for your thoughtful consideration last session—it laid the foundation for the progress we're building on today. That law sought to give property owners more freedom to choose native plants, reduce chemical use, and better manage stormwater on their properties, should they wish to do so. But since the law went into effect, constituents have reached out to let me know it hasn't gone far enough—particularly when it comes to controlling what happens in the spaces right outside their own front doors.

They're still being told they don't have a say in whether pesticides are sprayed on land they are otherwise allowed to use and tend. This is not just frustrating—residents feel that it is a violation of their basic rights.

LD 1132 makes three simple but important changes to the law:

- It clarifies that low-impact landscaping on “limited common elements,” provided it’s maintained regularly, cannot be prohibited.
- It further identifies “limited common elements” as the spaces designated as such by the legal documents that established the condo or housing association. This gives each association and the residents within unique control over what constitutes these specific types of spaces.
- It additionally prohibits the application of pesticides on those areas or within 50 feet of a unit without the express permission of that unit owner.

That’s a common-sense protection. It ensures that homeowners can say “no” to chemicals being used just feet from where their kids play, their pets roam, or their windows are open.

While this bill centers on individuals’ rights, it also continues Maine’s move toward more responsible land management. When people choose to plant native species or reduce pesticide use, it benefits our pollinators, improves soil and water quality, and can reduce strain on local ecosystems—especially as we face more frequent droughts and runoff-related water issues.

LD 1132 is a targeted, thoughtful fix to help make sure the law we passed last session has the real-world impact it was intended to. It reaffirms that Mainers have the right to make responsible decisions about the land they use and care for.

I respectfully urge the committee to support this bill. You’ll be hearing today from constituents who have been navigating the real-world impacts of the current law—they can speak directly to the challenges this bill aims to address.

Thank you for your consideration.