



HOUSE OF REPRESENTATIVES

2 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0002

(207) 287-1400

TTY: MAINE RELAY 711

Morgan Rielly

16 Blue Spruce Farm Road, Apt #6

Westbrook, ME 04092

Phone: (207) 228-5767

Morgan.Rielly@legislature.maine.gov

April 9, 2025

Testimony of Representative Morgan Rielly presenting

LD 1368, An Act to Provide a Property Tax Exemption for Allowing Shellfish Harvester Access to the Intertidal Zone

Before the Joint Standing Committee on Taxation

Good afternoon, Senator Grohoski, Representative Cloutier and distinguished members of the Joint Standing Committee on Taxation. My name is Morgan Rielly, and I represent House District 127, which includes part of Westbrook. I am here today to present **LD 1368, An Act to Provide a Property Tax Exemption for Allowing Shellfish Harvester Access to the Intertidal Zone.**

Our access to the intertidal zone is in dire straits. Increasing demand for coastal properties, coupled with rising property values, has endangered this access for our shellfish harvesters. Unfortunately, there is no state-level inventory of access that would show how much has been lost and what percent is private versus public. We only have town-specific inventory data, mostly from Southern Maine. Emily Farr of Manoment has submitted testimony, sharing all the data her organization has collected on lost access across the six towns they inventoried. The town of Freeport, for example, has lost dozens of access points over the past two decades. Downeast Conservation Network and Sunrise County have also started inventorying shore access in Downeast Maine.

While this loss of access has been happening for decades, we've seen an acceleration over the past five years due to many people from out-of-state moving to our coastal and island communities. Many shellfish harvesters have handshake agreements with residents allowing them to walk through their property. With longtime residents moving out and new ones moving in, those handshake agreements disappear. This is threatening not just their livelihoods, but a key part of our marine economy that our coastal and island communities rely upon. It also has presented safety issues for shellfish harvesters as they have had to travel farther to productive mudflats by boat instead of accessing through pathways from land.

This bill was brought to me by Jessica Joyce and Lewis Pinkham, the chair and vice-chair of the Shellfish Advisory Council, and was developed through conversations with coastal communities. After speaking with towns up and down the coast, we decided on a flat rate of \$500 to make it easier for property tax assessors. This rate is enough to be an incentive, but not too high to present a burden on our towns. Speaking with Jessica, she estimates that, on average, 6-12 properties in smaller towns would qualify for this exemption. Other towns with more private properties with access, such as Harpswell, might have more properties qualify.

After further conversations, I would also like to offer additional language for LD 1368: that municipalities consider the number of harvesters utilizing the property in the application/consideration process along with clarifying that this is for commercial shellfish license holders. I also suggest the committee add on line 18, after 'intertidal zone,' the following "and/or proximity to public intertidal access."

I recognize that there might be hesitancy among committee members for a property tax exemption. However, with municipal revenue sharing, the state will cover \$250 out of the \$500 exemption, which should not present too much of a burden. The trade-off will ensure that shellfish harvesters can continue to have access to the intertidal zone which will have a direct impact on providing local revenue for their communities (i.e. selling at farmers' markets, harvesters buying food and gas at local stores, etc.).

Rep. Simmons, along with others that I have spoken with about this, have also floated that instead of a property tax exemption, the state could allow for a \$500 write-off on state income tax instead. Another idea was to establish a grant program to incentivize property owners to allow access to the intertidal zone for shellfish harvesters. I'm open to either of those suggestions if there is support from Maine Revenue Services or available funding for a grant program.

Ensuring that future generations of shellfish harvesters are able to continue to access the intertidal zone to make a living and feed their communities is crucial. It's an important part of our marine economy and is a key aspect of our state's maritime identity. This is a problem we need to address now and fast in order to protect this industry.

Thank you very much for your time and consideration. I'm happy to answer any questions and the Chair of the Shellfish Advisory Council, Jessica Joyce, is also here today to provide testimony, too.