

Testimony of the Maine Municipal Association

Neither For Nor AgainstLD 2173 - *An Act to Update the Laws Regarding Housing Developments and Accessory Dwelling Units*

February 17, 2026

Senator Curry, Representative Gere, and distinguished members of the Housing and Economic Development Committee, my name is Tanya Emery, and I thank you for the opportunity to provide testimony neither for nor against LD 2173 on behalf of the Maine Municipal Association's (MMA) Legislative Policy Committee (LPC). MMA's LPC is composed of seventy municipal officials from across Maine, elected by their peers to represent member communities. We appreciate the sponsor's efforts to clarify and adjust recently enacted statutory changes but respectfully raise several municipal concerns for the Committee's consideration.

I would like to note that these themes were identified by our LPC, as well as during meetings that our LPC housing subcommittee had during the fall and winter months. Rep. Gere graciously met with the LPC subcommittee to hear some of these concerns directly from our members, which we greatly appreciate. I expect you will hear many of these themes directly from municipalities during the public hearing.

First, municipalities remain concerned about the **implementation timelines and compliance deadlines** associated with these changes. Local governments continue to face practical challenges in updating ordinances, educating residents and local elected officials to gain support for changes they did not propose, and ensuring consistent administration within the required timeframes. The lateness of the completion of rulemaking and the timeline for Municipal Ordinance Development Grants has further exacerbated this issue. As a reminder, Municipal Ordinance Development Grants provide funding to assist with the costs of ordinance amendments related to LD 1829, LD 997, and LD 427. This grant program just opened on January 12, with proposals due March 4. Contracts are expected April 1 (at best). Municipalities will **not be reimbursed for costs incurred prior to the contract date**. Communities that fall under the July 1, 2026, deadline are already well underway with the processes required to update ordinances, but work to implement LD 1829, LD 997, and LD 427 will be shouldered by local taxpayers.

Second, the bill does not sufficiently address widespread municipal concern regarding **additional residential density mandated outside designated growth areas**. Municipalities are concerned that this approach conflicts with locally adopted comprehensive plans, infrastructure capacity planning, environmental constraints, and long-standing growth management principles that seek to direct higher-density development to designated growth areas.

Finally, municipalities continue to express concern about the **cumulative impact of state-mandated zoning and land use changes** on municipal home rule authority. While individual provisions of LD 2173 may be viewed as technical adjustments, taken together they further limit local discretion over land use planning decisions that are traditionally made at the municipal level and tailored to local conditions.

Thank you for your time and attention to this important matter and for considering the municipal perspective. I am happy to answer any questions you might have.

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