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Senator Baldacci, Representative Matlack and distinguished members of the State and Local Government Committee, my name is Greg Dugal and I am here today representing Hospitality Maine, speaking neither for, nor against, LD 1365. Vacation rentals are an integral part of Maine's tourism industry and have been since rusticators roamed the earth, but they should not be above scrutiny, not by the State or by the municipalities they find themselves in. A similar bill to this was heard by this committee in the last session and it turned out many community members from towns and cities that had already passed ordinances to this effect to keep those ordinances intact. That bill prohibited municipalities from prohibiting or restricting short term rentals, this one is only for prohibiting rentals. The SLG committee room was packed as I remember it.

We are concerned about this bill simply because it potentially could pre-empt communities from having the authority to regulate the use of short-term rentals in their area of jurisdiction. We never have and never will support any type of ban on these types of rentals. We are concerned about the use of the word "prohibiting" versus the word "banning" or something to that effect. Does the word prohibiting mean that a non-owner-occupied cap of STR's could potentially "prohibit" a rental or could a zoning change potentially "prohibit" a rental?

Terminology should play a big role in dispensing with this bill. Who knows better the effect on communities by vacation rental units than the community itself?

All other types of lodging properties in a community are regulated by the municipality through licensure and regulation to include inns, B&B's, campgrounds, etc. No one part of the lodging industry, meaning short term rentals, should get a complete pass from any oversight. There are several communities in Maine who have ordinances relating to the vacation rental industry. South Portland and Portland come to mind as two of the more high-profile communities that have instituted ordinances, but York, Ogunquit, Rockland, Camden, Bar Harbor among others have some form of regulation. Their intention is to be able understand and monitor their short-term rental industry much like they do with other facets of the hospitality industry and other business and industry. So we are just concerned about the law of unintended consequences with the use of the word "prohibiting" in this proposed statute. We thank you for your time and happy to answer any questions.