

To: Code Enforcement Officers
Planning Board Members

From: Kate Dufour, Director, State and Federal Relations

Date: Wednesday, June 9, 2021

Re: **Immediate Action Needed:** LD 1312, Accessory Dwelling Units

An amended version of [LD 1312](#), *An Act To Remove Barriers to Accessory Dwelling Units and Allow Accessory Dwelling Units where Single-family Houses Are Allowed*, sponsored by Rep. Valli Geiger of Rockland, will soon be before the entire Legislature.

The bill seeks to preempt home rule authority by allowing an accessory dwelling unit (ADU) to be placed on the same lot as a single family dwelling, regardless of the existence of a local ordinance to the contrary or the desires of the residents of the community.

Although MMA worked with interested parties to advance changes that would make the bill more palatable, those changes were not included in the amended bill. As a result, municipal concerns, such as setbacks, height restrictions, lot density, and shoreland zoning have not been addressed. The only amendment advanced by the Labor and Housing Committee is the *elimination* of Section 2-E of the printed bill that would have *prohibited* municipalities from *restricting* the use of an ADU as a short-term rental. As a result of this change, municipalities retain regulatory authority over short-term rentals.

Furthermore, we understand that the bill's sponsor is not interested in advancing additional amendments, as she supports the initiative's goal of potentially doubling the amount of residential property in each community.

While municipal officials agree that increasing the quantity and quality of housing is important, the preemption of local authority is not the appropriate approach.

Because the bill received a unanimous report from the committee, LD 1312 will be presented to members of the House on a consent agenda. Unless pulled off the agenda, the bill will be supported without debate. MMA is working with members of the Legislature to ensure that LD 1312 is removed from the consent agenda to allow for discussion of the bill's impact on communities.

For this reason, it is critical that you contact members of the House and Senate today to discuss your concerns with LD 1312 and urge defeat of the measure.

Members of the Senate can be reached at 1-800-423-6900. To look up your Senator and their contact information check this [site](#). Members of the House can be reached 1-800-423-2900. To search for your House member and their contact information check the site available [here](#).

Thank you for your attention to this important matter. If you have questions, please do not hesitate to contact me at kdufour@memun.org or 207-592-4038.