



May 11, 2022

Adjournment of 130th Legislature

130th Legislature Adjourns Sine Die on May 9, 2022

The Second Regular Session of the 130th Legislature adjourned sine die (meaning “without day,” or without intent to return) on May 9, 2022. Pursuant to the Constitution of Maine, Article IV, Part Third, Section 16, the general effective date for nonemergency laws passed in the Second Regular Session of the 130th Legislature is **Monday, August 8, 2022**.

Enacted Legislation Supported or Closely Monitored by MEREDA

5-year Extension of Historic Tax Credit to 2030

[LD 201, Public Law 2021, Chapter 671](#). The sunset date for the Maine Historic Rehabilitation Tax Credit (MHRTC) has been extended from 2025 to 2030 thanks to legislation proposed by and supported by a coalition of smart growth and preservation advocates including: MEREDA, GrowSmart Maine, Greater Portland Landmarks, Maine Downtown Centers, CEI, the Genesis Fund, and Maine Preservation. Additionally, all projects certified by December 31, 2030, can claim the credit in later years even if project construction is not commenced by that date (the sunset date). The extension of the sunset date ensures both the future of this important program and certainty and predictability for the development community.

The “Housing Bill” becomes the “Housing Act,” Duplexes Now Permissive in Residential Zones

[LD 2003, Public Law 2021, Chapter 672](#). The “housing bill,” as this new law was known during the legislative process, represents the culmination of a year-long effort by housing advocates to develop a roadmap to accelerate housing construction in Maine. In brief, the law will provide:

- Financial and technical assistance to communities to encourage them to rewrite and modernize their land use codes (\$3 million worth of funding available);
- The allowance of up to 2 dwelling units and an Accessory Dwelling Unit (ADU) on all property zoned for residential use in the State of Maine (limited by local dimensional standards, etc); and
- The allowance of up to 4 dwelling units on property located within a designated growth zone identified in a comprehensive plan or, if the town does not have zoning, if that property is serviced by public sewer and water (limited by local dimensional standards, etc).

Resolve to Consider Regional Solutions to Housing Crisis

[LD 1240, Resolve 2021, Chapter 184](#). This resolve will form a study to address regional approaches to housing solutions. This resolve will build on the work done by the Housing Commission and enacted in the Housing Act. The study will focus on regional solutions to accelerating housing growth and reducing burdens to development.



Redevelopment Land Bank to Empower Municipalities to Get Blighted Properties Back on the Tax Roles, Create Opportunities for Development

[LD 1694, Public Law 2021, Chapter 664](#). This new law will establish a redevelopment land bank authority. This bill is modeled after a Sanford land bank program, and will establish a state fund to allow towns to purchase and clean up parcels of blighted or contaminated land for the purposes of redevelopment. The program is intended to empower municipalities to take a tailored approach to lot clean-up in their communities. Depending on the needs of the town and the clean-up needs on the site, the State's new Land Bank entity will work with municipalities to find the right solution to achieve their goals.

Clarification of Shoreland Zoning Laws Related to Height Calculations

[LD 1809, Public Law 2021, Chapter 504](#). This new law clarifies the Shoreland Zoning laws' calculation of height for purposes of meeting minimum elevation requirements for structures by a local floodplain management ordinance and in accordance with federal flood insurance program requirements.

Sales Tax Exemption Extended to Nonprofit Housing Entities that Service 120% of AMI, Up from 80%

[LD 1732, Public Law 2021, Chapter 695](#). This new law expands the sales tax exemption for nonprofit housing developments. This bill would allow nonprofit housing organizations to exempt purchases from sales tax if the organization serves populations at 120% of AMI or lower, previously capped at 80% of AMI or lower. This change to the law will allow more Maine nonprofit housing organizations to service more Mainers.

MUBEC Statutes Require Permissive Use of Certain Refrigerants, Air Conditioning

[LD 1940, Public Law 2021, Chapter 524](#). This new law will ensure that the MUBEC permits the installation and use of acceptable refrigeration or air conditioning products or equipment. Acceptable products are defined as products listed by the EPA pursuant to 42 USC §7671k. Further, the law will require that acceptable products be installed in accordance with any relevant federal regulations pursuant to same.

Remote Online Notarization Now Permitted in Maine, Modeled on Revised Uniform Law on Notarial Acts

[LD 2023, Public Law 2021, Chapter 651](#). This new law enacts a version of the Revised Uniform Law on Notarial Acts. The adoption of a permanent statutory scheme to permit remote online notarization in Maine was driven in part by the COVID-19 pandemic, which required many notaries to remotely notarize documents under authority from first a temporary Executive Order and then a temporary law prior to the enactment of this permanent law. MEREDA served on the working group that examined different approaches to remote online notarization, and was pleased to support the adoption of the uniform law.

