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TESTIMONY BEFORE THE HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE

An Act Stimulate Housing Production by Increasing the Threshold Before Participation in the Maine Uniform Building and Energy Code Is Mandatory

L.D. 445

GOVERNOR'S ENERGY OFFICE February 27, 2025

Senator Curry, Representative Gere, and Members of the Joint Standing Committee on Housing and Economic Development: My name is Caroline Colan, and I am the Legislative Liaison for the Governor's Energy Office (GEO).

The GEO testifies neither for nor against L.D. 445.

Thank you for the opportunity to provide information regarding this proposed legislation. The Department of Public Safety is testifying on behalf of the Administration on this legislation, so we will not provide a position on this bill, but did wish to provide information regarding the scope of the proposed rule based on analysis conducted by GEO staff.

As presently required by Maine statute, the Maine Uniform Building and Energy Code (MUBEC) must be enforced in municipalities with more than 4,000 residents. The proposed bill would modify that requirement, increasing the threshold for towns required to enforce MUBEC to towns with more than 10,000 residents. It is worth noting that all buildings in Maine, with limited exceptions, are required to build to MUBEC standards. It is the required *enforcement* of MUBEC standards that is of concern here.

The chart below compares the scope of the existing enforcement requirement and the proposed enforcement requirement utilizing data from the U.S. Census Bureau.

	Maine Total	Current Rule	Proposed Rule
Enforcement required for towns of...		4,000 or less population	10,000 or less population
Towns	482	88 (18%)	22 (5%)
Population	1,351,762	883,010 (65%)	469,058 (35%)
Land (sq. mi.)	16,412	3,443 (21%)	827 (5%)

The proposed change would require that MUBEC is only enforced in 5% (18% currently) of all towns accounting for 35% (65% currently) of Maine's population and 5% (21% currently) of the municipal land. The cities and towns that would no longer be required to enforce MUBEC (66 towns) have an average population of 6,272 and an average land size of 40 sq. mi. A summary of towns impacted by the proposed change by county is shown below, with 55% of impacted towns being along the I-95 corridor from Portland to Bangor (York, Cumberland, Penobscot, and Kennebec counties).

County	Towns	Impacted Population	Impacted Population (%)
York	11	72,387	17.5%
Cumberland	10	68,737	16.6%
Penobscot	7	44,888	10.8%
Kennebec	8	43,899	10.6%
Androscoggin	6	35,027	8.5%
Aroostook	4	26,315	6.4%
Oxford	4	20,343	4.9%
Somerset	3	19,830	4.8%
Hancock	3	18,441	4.5%
Sagadahoc	2	18,326	4.4%
Knox	3	17,033	4.1%
Franklin	2	12,212	3.0%
Waldo	1	6,938	1.7%
Lincoln	1	5,154	1.3%
Piscataquis	1	4,422	1.1%

Lastly, we wish to note that it is our understanding that several types of homes would not be impacted by this change, including manufactured (also known as “mobile”) homes, which are built to separate standards set by the Federal Department of Housing and Urban Development (HUD); and affordable housing projects financed by the Maine State Housing Authority, which are required to meet more stringent energy efficiency standards than MUBEC.

If the Committee has questions about this data, we are happy to provide additional information.

Thank you for your consideration.


 Caroline Colan, Legislative Liaison
 Governor’s Energy Office