

Testimony of the Maine Municipal Association

In Opposition to

LD 546 – Resolve, to Require the Preparation of Preapproved Building Types

March 4, 2025

Sen. Curry, Rep. Gere and distinguished members of the Housing and Economic Development Committee, my name is Rebecca Graham, and I am submitting testimony in opposition to LD 546, at the direction of MMA's Legislative Policy Committee (LPC). Our LPC is composed of municipal officials from across Maine, elected by their peers to represent communities with vastly different enforcement staff, resources and capacities.

Communities across Maine have already begun adopting and developing pre-approved building plans, particularly in areas where design standards are required for building permit approval. Auburn and Bangor are among the latest municipalities to implement pre-approved plans that meet code requirements, though they still require lot-level review.

It's important to note that, unlike in some southern states where pre-approved designs are used to bypass stormwater reviews under the Municipal Separate Storm Sewer Systems (MS4) program, Maine's approach does not eliminate stormwater oversight. Due to historic development impacts on urban impaired streams, stormwater regulation in Maine remains primarily the responsibility of local municipal employees, with reviews focused on lot-level impacts with pre-approved designs incapable of addressing these issues.

Pre-approved building designs provide the construction industry with a predictable way to comply with the Maine Uniform Building Code. However, opposition from officials stems from past challenges with state-level boards overseeing manufactured housing, which have excluded many new building types from regulatory discussions. Additionally, a statewide process risks sidelining local community members, making it more difficult for municipalities to adopt pre-approved designs. Those thoughtful and time-consuming processes are vital to address opposition to development and once done locally in advance no longer need to face additional community hurdles.

Code professionals and municipal officials believe that these designs should be integrated into existing regulatory boards rather than creating a separate process under the Department of Agriculture, Conservation, and Forestry. They also emphasize the need to address disparities between site-built construction and the licensed manufactured housing process. Instead of investing resources into a new state-level initiative, they advocate using those funds to improve the construction licensing process and ensure greater parity between these two construction methods.