



January 22, 2026

To: Senator Curry, Representative Gere, and Distinguished Members of the Joint Standing Committee on Housing and Economic Development.

Re: LD 2097 “An Act to Modify the Law Governing Revocation of a Code Enforcement Officer's Certification” as amended

Dear Co-Chairs and Members of the Committee,

My name is Matt Marks, and I am a Principal at Cornerstone Government Affairs, sending this letter on behalf of Associated General Contractors of Maine (AGC Maine). AGC Maine represents more than 300 Maine-based commercial construction firms employing approximately 30,000 workers statewide. Our members work in nearly every Maine municipality and interact daily with local code enforcement officers, inspectors, and municipal officials.

AGC Maine supports LD 2097 and specifically supports the redline amendments being developed by the Maine Office of Community Affairs (MOCA) in response to concerns raised by the Maine Municipal Association, the Maine Building Officials and Inspectors Association, and members of the codes profession. From a commercial construction perspective, the collaborative process MOCA has undertaken is exactly the right approach and gives us confidence that the bill, as amended, will improve consistency, accountability, and fairness without creating unnecessary risk or delay.

Reliable and professional code enforcement is crucial for the timely and safe completion of commercial construction projects. When disputes occur, they should be resolved through clear, predictable processes that differentiate between routine interpretation issues and conduct that genuinely endangers public safety or professional integrity. The MOCA redline achieves this balance, and AGC Maine strongly supports it.

In particular, AGC Maine supports MOCA’s proposed refinements to:

- Adopt a hybrid decision-making structure that clarifies the role of the Complaint Committee while preserving administrative efficiency under the Director or State Building

Official. From an industry standpoint, this approach avoids creating an overbuilt bureaucracy while ensuring appropriate review of serious matters.

- Narrow and clarify the grounds for disciplinary action, so that good-faith code interpretation decisions made in the normal course of business are not grounds for decertification. Commercial construction frequently involves complex code applications, and the redline appropriately directs interpretation disputes to appeals processes rather than disciplinary proceedings.
- Emphasize early dismissal of meritless complaints and staff-level resolution of minor issues, protecting both code officials and project timelines from unnecessary escalation.
- Remove civil penalties from the bill, recognizing that enforcement capacity and professional support structures should be established first, with the option for future legislative review.
- Ensure clarity and inclusivity by explicitly covering licensed plumbing inspectors and third-party inspectors, and by guaranteeing representation from a statewide code enforcement organization on the Complaint Committee.
- Refine procedural provisions, including informal conferences and employer involvement, to preserve due process while ensuring that employment-related or local political disputes are addressed at the appropriate level before state intervention.

AGC Maine also wants to recognize the positive, ongoing conversations among MOCA, municipal officials, and building professionals. These discussions demonstrate that the redline amendments are not theoretical, but the product of real-world experience and practical compromise. For the construction industry, that collaborative foundation is critical to achieving regulatory certainty and maintaining productive relationships at the local level.

In closing, AGC Maine urges the Committee to support LD 2097 as amended, consistent with MOCA's redline. We believe the amended bill will strengthen the code enforcement system, protect public safety, and support efficient commercial construction across Maine.

Thank you for the opportunity to send comments. I would be happy to answer any questions.

Sincerely,

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