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February 27, 2026

LD 2224 – An Act to Reduce Certain Costs Associated with Residential Construction

Senator Curry, Representative Gere, and honorable members of the Housing and Economic Development Committee, my name is Shawn Esler, and it is a privilege to serve as Maine's State Fire Marshal. I am offering testimony in **support** of LD 2224.

Our Office has no concerns with Sections 4 and 5 of LD 2224. By directing our office to convene a residential sprinkler working group before making statutory changes, this proposal sends a strong message that the fire service's perspective matters and places both fire safety professionals and housing stakeholders in a position to develop meaningful, data-informed recommendations. It also establishes a reasonable timeline for a thorough and thoughtful report to be assembled. In my view, this is a responsible and balanced approach to addressing complex life-safety policy. We want to thank Senator Curry for the approach reflected in this bill.

While we support this bill, we respectfully want to inform the committee of a concern regarding the direct legislative removal of specific provisions from nationally adopted codes, specifically Sections 1, 2, and 3. Maine's Uniform Building and Energy Code is administered by the MUBEC Board — a technical body created by the Legislature through the Joint Standing Committee on Business, Research and Economic Development. The Board exists specifically to review, evaluate, and amend code provisions through a formal rulemaking process that includes subject-matter expertise, economic analysis, and public comment. When individual code sections are deleted through legislation, it risks fragmenting the adopted code set and bypasses the very technical framework the Legislature has already established.

If certain provisions warrant reconsideration, the most consistent path would be to direct the MUBEC Board to formally review those sections and remove them through the appropriate process already in place. Removing any code section without careful review of other provisions, may have unintended consequences. For example: It is possible that smoke curtains removal may prompt a much more expensive sprinkler system. Sending this to a Technical Advisory Group of the MUBEC Board, would certainly avoid such unintended consequences and result in a similar outcome. It's possible other sections of the code would also require adjustment. This approach is consistent with the directive in Section 4 directing the State Fire Marshal to adopt NFPA 72.

The process I outlined preserves both legislative intent and the integrity of Maine's building code framework. Thank you for your time and for your continued commitment to public safety, we stand ready to assist the committee with this bill.

A handwritten signature in black ink, appearing to read "Shawn Esler".

Shawn Esler, State Fire Marshal